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June 3, 2008

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MEETING MINUTES

Tuesday, June 3, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of April 22, 2008 and April 29, 2008.. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

3 1223 08514 6075

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080568 **[Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, Series 2005B, Series 2005C and Series 2005D-$120,000,000]** **Mayor**

Ordinance approving the form and authorizing the execution of refunding bonds to refinance, in whole and/or in part, the $120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds;

approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

Enacted Number: 100-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080570 [Accepting gift to the Fire Department - $27,551]

Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of equipment and materials for the Department's Division of Training Resource Library valued at $27,551. (Fire Department)

Enacted Number: 256-08
ADOPTED

080615 **[Accept and expend Environmental Protection Agency (EPA) grant funds - $8,119,150]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a United States Environmental Protection Agency (US EPA) grant in the amount of $8,119,150 for a Contamination Warning System Demonstration Pilot Project.

Enacted Number: 257-08
ADOPTED

Recommendation of the Government Audit and Oversight Committee

080593 **[Appropriating $1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $1,289,141 of interest

earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 101-08

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]

Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings.
(Planning Department)

Enacted Number: 98-08

FINALLY PASSED

080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

Enacted 99-08
Number:
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

080592 **[Appropriating $272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]** **Supervisors Maxwell, Peskin**

Ordinance appropriating $272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Supervisor Alioto-Pier dissented in committee.)

Continued to July 15, 2008

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080523 **[Approving agreements for the development of the City** **Supervisors Maxwell, Dufty,**

Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets] **McGoldrick, Peskin**

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1. (Supervisor Alioto-Pier dissented in Committee.)

Continued to July 15, 2008

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080577 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Maryland Streets and adopting environmental findings]

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Continued to July 15, 2008

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080524	**[Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

property leases, project leases and a trust

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in Committee.)

Continued to July 15, 2008

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings. (Arts Commission)

(Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080606 [Revising Board of Appeals Surcharges]

Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080607 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and

public parking management services, information booth services, security services, and shuttle bus services (Airport); paratransit services, security services, citation information, janitorial and landscaping, meter collection and coin counting, towing services, and transit shelter maintenance and advertising (MTA); janitorial and security services. (Port) (Mayor)
(Fiscal Impact.)

Enacted Number: 259-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

080657 **[Priorities for Public Utilities Commission's expenditures from Sustainable Energy Account Funds]** **Supervisor McGoldrick**

Ordinance establishing priorities for expenditures by the Public Utilities Commission from the Sustainable Energy Account.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Daly, Maxwell, McGoldrick, Peskin
Noes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Mirkarimi, Sandoval

071679 **[Solar Energy Incentive Program]** **Supervisor Dufty**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)
(Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Sandoval
Noes: 4 - Daly, McGoldrick, Mirkarimi, Peskin

080630 **[Solar Energy Incentive Pilot Program]** **Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved that this Ordinance be

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, McGoldrick

Continued as amended to June 10, 2008 with Board Sitting as a Committee of the Whole.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Chu, Dufty, Elsbernd

Recommendations of the Government Audit and Oversight Committee

080540 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to increase its contract amount to $29,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the

amendment shall increase the contract amount from $25,000,000 to $29,000,000. (Office of Contract Administration)
(Fiscal Impact.)

Enacted Number: 255-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

080541 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to increase the contract amount to $43,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Eighth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $35,000,000 to $43,000,000. (Office of Contract Administration)
(Fiscal Impact.)

Enacted Number: 254-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

080542 **[Authorizing the Office of Contract Administration to amend its contract with Micromenders/GC Micro to increase the contract amount to $18,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Sixth amendment between the City and Micromenders/GC Micro (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's amount to $18,000,000. (Office of Contract Administration)

(Fiscal Impact.)

Enacted Number: 253-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 1 - Sandoval

080543 **[Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to $64,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Tenth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $51,000,000 to $64,000,000. (Office of Contract

Administration)
(Fiscal Impact.)

Enacted Number: 252-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

Recommendation of the Land Use and Economic Development Committee

080511 [Hunters Point Shipyard - Resolution of Intent for Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate portions of Innes Avenue, Galvez Avenue and Donahue Street, in Hunters Point Shipyard Parcel "A1" along with public service easements that may exist in Parcel A1, all of Navy Road on Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcel A2; vacate any easements that may exist between the vacated areas in Parcel "A1" and "A2" as described in Ordinance No. 24-05; reserve a non-exclusive easement for the City combined sewer pipeline and appurtenant facilities within Navy Road; setting a hearing date of for all persons interested in the proposed vacation of said street areas and public service easements. (Public Works Department)

Enacted Number: 244-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1"and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Continued to a public hearing on July 8, 2008 at 4:00 p.m

Supervisor Maxwell, seconded by Supervisor

Chu, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080591 [Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program] **Supervisors Elsbernd, Maxwell, Chu, Dufty**

Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080475 [Presidio Neighborhood Representative Work Group] **Supervisor Alioto-Pier**

Resolution re-establishing the Presidio Neighborhood Representative Work Group to be comprised of

representatives from affected neighborhoods and City Departments.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Quentin Favia for his leadership for a skateboard drive for underprivileged kids.
Supervisor McGoldrick, welcomed, introduced and presented a Certificate of Honor to Daniel Batemon.

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular

4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)
The President inquired as to whether any member of the public wished to address the Board members. Continued to June 24, 2008

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 24, 2008

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 24, 2008

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 24, 2008

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes

to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with issues relating to the mistreatment to Falun Gong practictioners

Male speaker; expressed concern with issues relating to the mistreatment to Falun Gong practictioners

Neal Malleck; showed interest in San Francisco history

Richard Macree; expressed concern with issues relating to his patent for Sigmund Stern Grove

Walter; shared with the Board certain memorabilia

Mr. Roberts; Applicant for the Mayor's Disability Commission expressed concern with issues relating to violation of rights for the disabled

Joe Connolly; expressed concern with issues relating medical marijuana and evictions at Mercy Housing

Fran Sappy; expressed concern with issues relating medical marijuana and evictions at Mercy Housing

David Altman; expressed concern with issues relating medical marijuana and evictions at Mercy Housing

Edmond; expressed concern with issues relating medical marijuana
Peter Warfield; expressed concern with issues relating to the SF Public Library
fees
Male speaker; expressed concern with issues relating medical marijuana and evictions at Mercy Housing
Male speaker; expressed concern with issues relating medical marijuana and evictions at Mercy Housing
Catherine; expressed concern with issues relating medical marijuana and evictions at Mercy Housing

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080701 **[Proclamation for Peace and Dignity Day on July 7, 2008 in San Francisco]** **Supervisor Maxwell**

Proclamation of the City and County of San Francisco to declare July 7, 2008 as Peace and Dignity Day.

Enacted Number: 251-08

ADOPTED

080702 [CalHome Application] **Supervisor Chu**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

Enacted Number: 250-08
ADOPTED

080703 [Approval of an extension for Planning Commission review - Residential Inclusionary Affordable Housing Program] **Supervisor Dufty**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Residential Inclusionary Affordable Housing Program of the Planning Code of the City and County of San Francisco to a date within 45-days of the completion of the environmental review, including any required hearings. The proposed Ordinance would specifically Ordinance amending the Residential Inclusionary Affordable Housing Program, including Planning Code Section 315.9 to allow for density bonuses to project applicants who

develop on-site, affordable family-sized units as defined herein as part of their inclusionary housing requirements; and the addition of Planning Code Section 315.10 regarding severability and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 249-08

ADOPTED

080704 [90 day extension for Planning Commission review - Mission/Bernal Formula Restricted Use Subdistrict] **Supervisor Ammiano**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section

101.1 and the General Plan.

Enacted Number: 247-08
ADOPTED

080705 **[60 day extension for Planning Commission review - The Metro Theatre]** **Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

Enacted Number: 248-08
ADOPTED

080634 **[Final Map - 178 Bluxome Street]**

Motion approving Final Map 4024, a 42 Unit Live - Work Condominium Project, located at 178 Bluxome Street being a subdivision of Lot 135 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,542; District 6.)

Enacted M08-87
Number:
APPROVED

080635 [Final Map - 683 Brannan Street]

Motion approving Final Map 3963, a 39 Unit Live - Work Condominium Project, located at 683 Brannan Street being a subdivision of Lot 136 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,543; District 6.)

Enacted M08-88
Number:
APPROVED

080637 [Final Map - 436 - 438 Clementina Street]

Motion approving Final Map 4550, a 20 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 436 - 438 Clementina Street being a subdivision of Lot 062 in Assessors Block No. 3732 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,549; District 6.)

Enacted M08-89
Number:

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

080683 **[Called from committee and committee of the whole, Community Justice Center funding]** **Supervisor Dufty**

Motion calling from committee file number 080685, an ordinance removing reserve funding for a Community Justice Center; motion to sit as committee of the whole June 10, 2008.

Enacted Number: M08-90

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 4 - Daly, McGoldrick, Mirkarimi, Peskin

OFF-AGENDA LEGISLATION

Ordinances

080719 [Building Code - fee adjustment]

Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)

5/23/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/3/2008. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

5/30/08, SUBSTITUTED. Department of Building Inspection submitted substitute ordinance bearing same title.

5/30/08, ASSIGNED to Budget and Finance Committee. 06/05/08 - 30 day rule waived by the President.

080723 [Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year **Mayor**

2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.

(Fiscal Impact.) (Supervisor Daly dissented in committee.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080724 **[Interim Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds

and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080725 **[Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.
(Fiscal Impact.)
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/02/08 - Received Interim Exception to the Annual Salary Ordinance and the Notice of Transfer of Function from the Mayor. 06/03/08 - Notice of Transfer of Function referred to

the member of the Board of Supervisors.

080726 **[Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.)
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/02/08 - Received Interim Exception to the Annual Salary Ordinance and the Notice of Transfer of Function from the Mayor. 06/03/08 - Notice of Transfer of Function referred to the member of the Board of Supervisors.

080736 **[Planning Code- Modifying the** **Mayor**

fee refund provisions for inclusionary housing projects]

Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/123/08 - Response received from Planning, recommend approval.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080737 [Planning Department Fee Adjustment] **Mayor**

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/123/08 - Response received from Planning, recommend approval with amendments.06/06/08 -

Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle. 06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080738 **[Environmental review fees, Community fee, and related fees]** **Mayor**

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Streamlined Intake; and making environmental findings.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/123/08 - Response received from Planning, recommend approval with amendments.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle. 06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080739 **[Chlorofluorocarbon Recovery and Recycling Fees]** **Mayor**

Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for

permitting and inspections by the Department of Health and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080740 [Diesel Backup Generator Fees] Mayor

Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080741 [Hazardous Materials Fees] Mayor

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080742 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the

Youth Commission and the Small Business Commission for review and comment.

080743 [Hazardous Waste Soil Analysis Fees] **Mayor**

Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080744 [License and Permit Fees] **Mayor**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.

06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080745 [Medical Waste Generator Registration, Permitting, Inspections And Fees] **Mayor**

Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and making environmental findings.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.

06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080746 [Risk Management Program Fees] **Mayor**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk

Management Plans and inspections of stationary sources by the Department of Public Health and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080747 [Ambulance Permit Fees] Mayor

Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080748 [Health Inspection Fees] Mayor

Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add provisions for the Controller to adjust annually, and making environmental findings.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080749 [San Francisco Public Library - Mayor Fees]

Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials. (Supervisors Daly and Mirkarimi dissented in committee.)
6/3/08, RECEIVED AND ASSIGNED to Budget and

Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080750 **[Recreation and Park Department - Athletic Fields Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application fee for certification as a non-profit.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080751 **[Recreation and Park Department - Aquatic Facilities Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by

amending Section 12.40 to increase the fees at the Aquatic facilities.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080752 **[Recreation and Park Department - Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080753 **[Recreation and Park** **Mayor**

Department - Reservation Administrative Fees]

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080754 [Recreation and Park Department - Coit Tower Fees] **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080755 **[Recreation and Park Department - Japanese Tea Garden Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080756 **[Recreation and Park Department - Athletic League Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the

San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080757 **[Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080758 **[Fees for Fire Department Services and Permits]** **Mayor**

Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding

Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080759 [Fees for Fire Department Emergency Medical Services] **Mayor**

Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.
06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business

Commission for review and comment.

080761 [Patient Rates] **Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.

06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080765 [Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee] **Mayor**

Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be $60. (Supervisors Daly and Mirkarimi dissented in committee.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/05/08 - Referred to Planning for determination of environmental impact.

06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the

San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080766 **[De-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating $2,500,000 to the General Fund for Fiscal Year 2007-2008]** **Mayor**

Ordinance de-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating $2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080769 **[Transferring $5 million from the Election Campaign Fund to the General Fund]** **Mayor**

Ordinance amending Chapter 1 of Article I of the Campaign and Governmental Conduct Code by amending sections 1.138 and 1.144 to transfer $5 million from the Election Campaign Fund to the General Fund in the fiscal year beginning July 1, 2007.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 6/12/08 - Referred to Ethics Commission for review pursuant to Campaign and Government Code Section 1.103.

080774 **[DSW training and reporting and employee contact information]** **Supervisor Alioto-Pier**

Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

6/3/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080775 **[Smart Grid-Capable Electric Meters]** **Supervisor Alioto-Pier**

Draft Ordinance requiring the use of smart grid-capable meters when any electric meter is installed or replaced within the City or County of San Francisco.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/10/08 - Referred to the City Attorney for approval as to form.

080776 **[Ninety Day Parking Tax Penalty Amnesty Program]** **Supervisor Daly**

Ordinance amending Article 9 of the Business and Tax Regulations Code by adding Section 609 to establish a 90 day Parking Tax Penalty Amnesty Program.

6/3/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/3/2008. 06/12/08 - Referred to Small Business Commission for review and comment.

080777 **[Eastern Neighborhoods community stabilization fee and PDR replacement program]** **Supervisor Daly**

Ordinance amending the Planning Code to add Sections 319A et seq. to create a community stabilization fund and PDR replacement fund and imposing fees on specified new developments in the Eastern Neighborhoods, as defined herein; making a declaration of policy concerning pending residential development projects in the Eastern Neighborhoods that are compliant with the current Planning Code; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Economic Impact)
6/3/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/3/2008.

Resolutions

080727 **[Redevelopment Agency Interim Budget]** **Mayor**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080728 **[Redevelopment Agency Budget 2008-2009]** **Mayor**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009, approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed $199,400,000 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080729 **[Treasure Island Development Authority Interim Budget]** **Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2008-2009.

(Fiscal Impact.) (Supervisor Daly dissented in committee.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080730 **[Treasure Island Development Authority Budget 2008-2009]** **Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080731 **[Revocation of Permit for U.N. Plaza Collectible/Antiques Market]** **Mayor**

Resolution revoking the permit for a collectible/antiques market at U.N. Plaza.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080732 **[Revocation of Permit for U.N. Plaza Farmer's Market]** **Mayor**

Resolution for revoking the permit for a farmer's market at U.N. Plaza.

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080733 **[Lease of space for cellular transmission at Alemany Farmers' Market Property]** **Mayor**

Resolution authorizing the lease of space for up to three cellular transmission sites at the property commonly known as the Alemany Farmers' Market located at the corner of Alemany Boulevard and Putnam Street.

(Supervisors Daly and Mirkarimi dissented in committe.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080734 **[Proposition J Contract/Janitorial Services for 875 Stevenson Street]** **Mayor**

Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Referred to the Small Bussiness Commission for review and comment.

080735 **[Disbursements from Budget Savings Incentive Fund FY 08-09]** **Mayor**

Resolution approving disbursements from the Budget Savings Incentive Fund.

(Fiscal Impact.) (Supervisor Daly dissented in committee.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080760 **[Authorizing the execution and delivery of certificates of participation to finance health care, assisted living and/or other type of continuing care facility or facilities and related** **Mayor**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of a health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 375 Laguna Honda Boulevard; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell for the certificates of participation, if sold by competitive sale; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the certificates of participation, if sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080762 **[Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]** **Mayor**

Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Referred to the Small Bussiness Commission for review and comment.

080767 **[Redevelopment Agency Budget]** **Mayor**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-08 by increasing the Agency's tax increment receipts for Affordable Housing activities and authorizing expenditure in an amount not to exceed $22,401,050 by authorizing a cooperation agreement with the City and County of San Francisco, and authorizing the Agency to increase its

annual statement of indebtedness by a like amount not to exceed $22,401,050, all Redevelopment Project Areas.
(Fiscal Impact.)
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080768 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved] **Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); absentee voter ballot distribution (Department of Elections); security services (Human Services Agency); shelter and intake for status offenders (Juvenile Probation); Project S.A.F.E. (Police); jail food services (Sheriff); and mainframe system support (Telecommunications and Information Services).
6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Referred to the Small Bussiness Commission for review and comment.

080778 **[Initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District]** **Supervisor Mirkarimi**

Resolution initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District.

6/3/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080779 **[Closure of the Potrero Power Plant]** **Supervisors Maxwell, Dufty, McGoldrick, Peskin, Daly, Sandoval, Mirkarimi**

Resolution urging the Public Utilities Commission to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant; and establishing minimum criteria for any in-City generation projects to close the Potrero Power Plant.

6/3/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080780 **[Accept-expend federal-state pass through grant - $1,277,875]** **Supervisor Mirkarimi**

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $1,277,875 from the United States Department of Labor for workforce development activities.
6/3/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080783 **[Intention to form the Broadway Entertainment Corridor Community Benefit District]** **Supervisor Peskin**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Broadway Entertainment Corridor Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.
6/3/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080784 **[Intention to form the Yerba** **Mayor**

Buena Community Benefit District]

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Yerba Buena Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

6/3/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080785 [Lymphoma Research Foundation Day - June 8, 2008] **Supervisor Peskin**

Resolution declaring June 8, 2008 "Lymphoma Research Foundation Day" in San Francisco.

6/3/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080786 [Grant to support resident transitions at Laguna Honda Hospital - $10,000] **Supervisor Elsbernd**

Resolution authorizing the San Francisco Department of Public Health - Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of $10,000 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of September 1, 2007 through June 30, 2008.
6/3/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080787 **[Commending Wooly Wolverton]** **Supervisor Dufty**

Resolution commending Wooly Wolverton.
6/3/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080788 **[Condemning Chevron Corporation for its domestic and international business practices]** **Supervisors Ammiano, Daly, Mirkarimi, Peskin**

Resolution condemning Chevron Corporation for a systematic pattern of ethically questionable investments, complicity in human rights abuses, and environmental devastation in countries and communities in which it operates.
6/3/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearings

080770 **[Controller's discussion on the Mayor's proposed FY 2008-2009 Budget (aka Revenue Letter)]** **Supervisor McGoldrick**

Hearing on the Controller's discussion of the Mayor's proposed FY 2008-2009 Budget (aka Revenue Letter).

6/3/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080771 **[Proposed changes for the structure and staffing of Department of Telecommunications and Information Services (DTIS)]** **Supervisor Ammiano**

Hearing on recent changes proposed for the structure and staffing of DTIS.

6/3/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080772 **[Policy implications of the reduction in services to San Francisco General Hospital's Psychiatric Emergency Services Unit]** **Supervisor Mirkarimi**

Hearing to discuss the policy implications of the substantial reduction in services to San Francisco General Hospital's Psychiatric Emergency Services Unit.

6/3/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080773 [Police Chief Hiring Report] **Supervisor Mirkarimi**

Hearing to review and discuss the Legislative Analyst Report entitled "Police Chief Hiring".
6/3/08, RECEIVED AND ASSIGNED to Public Safety Committee.

PROPOSED ORDINANCES

080709 [Settlement of City's Lawsuit Against Defendant Coral Energy Resources, L.P. - $277,000]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Coral Energy Resources, L.P.; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $277,000 to the City from defendant Coral Energy Resources, L.P. (City Attorney)
5/22/08, RECEIVED AND ASSIGNED to Rules Committee.

080710 [Settlement of City's Lawsuit Against Defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni - $297,500]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni ("Reliant"); the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $297,500 to the City from the Reliant defendants. (City Attorney)
5/22/08, RECEIVED AND ASSIGNED to Rules Committee.

080719 [Building Code - fee adjustment]

Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)
5/23/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/3/2008.
06/05/08 - Referred to Planning for determination of

environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

5/30/08, SUBSTITUTED. Department of Building Inspection submitted substitute ordinance bearing same title.

5/30/08, ASSIGNED to Budget and Finance Committee. 06/05/08 - 30 day rule waived by the President.

080720 [Landmark Designation of 1969 California Street (Tobin House)]

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

5/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

080707 [Homeland Security grants]

Resolution authorizing designated City and County officials to execute and file on behalf of the City and

County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under the FY 08 Homeland Security Grant Program (which includes the FY 08 Urban Areas Security Initiative (UASI) grant, the FY 08 Metropolitan Medical Response System (MMRS) grant, the FY 08 Citizen Corps Program (CCP) grant, and the FY 08 State Homeland Security Grant Program), the FY 07 and FY 08 Buffer Zone Protection Program (BZPP) grant, the FY 08 Hazard Mitigation Grant, the FY 08 Pre-Disaster Mitigation Grant, the FY 08 Emergency Management Performance Grant (EMPG), the FY 07 and FY 08 Regional Catastrophic Preparedness Grant Program (RCPGP), or any other federally funded grant program and Public Law 110-161. (Mayor) 5/14/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080708 [Recorder's fee for Social Security Number Truncation Program - $1.00] **Supervisor Peskin**

Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional $1.00 recording fee to fund the Social Security number truncation program, and making environmental findings. (Assessor-Recorder) 5/19/08, RECEIVED AND ASSIGNED to Government

Audit and Oversight Committee. 06/05/08 - Referred to Planning for determination of environmental impact. 06/11/08 - Response received from Planning, expect from CEQA per Section 15723.06/06/08 - Fee notice place in the 06/07/08 and 06/14/08 edition of the San Francisco Chronicle.06/07/09 - Referred to the Youth Commission and the Small Business Commission for review and comment.

080718 [Approval of FY08-09 Expenditure Plan for the Human Services Care Fund]

Resolution approving the FY08-09 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

5/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Dufty
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft legislation that will require that all credits earned through "Project 20", administered by the San Francisco Pretrial Diversion Project, Inc. be credited with a rate that is equal to or greater than the City and County of San Francisco's minimum wage.
From: Supervisor Elsbernd
To: City Attorney
Requesting/Inquiring: Please provide an opinion on

whether the proposed General Hospital GO bond violated the single subject rule.
From: Supervisor Elsbernd
To: Controller
Requesting/Inquiring: Please provide an analysis of the cost savings associated with reducing 311 staffing from 24 hours a day to 12 hours a day. Please also provide an explanation of the impact, if any, on the City's emergency 911 system as a result of reducing 311 staffing.
From: Supervisor Elsbernd
To: Controller
Requesting/Inquiring: Please provide an estimate of the FY 09-10 budget deficit, assuming the FY 08-09 budget is passed as currently proposed. Please also provide a comparison between the current FY 08-09 deficit and the FY 09-10 deficit as stated in the Controller's 6 month and 9 month budget reports.
From: Supervisor Elsbernd
To: Sheriff
Requesting/Inquiring: Please provide a description of the proposed early release program and an explanation of how the program will function: how will the program be administered and implemented? What criteria will be used to determine who is released?
From: Supervisor Elsbernd
To: Sheriff
To: Chief, Police Department
To: District Attorney
To: Director, Mayor's Office of Criminal Justice
Requesting/Inquiring: Please provide an analysis of the impact of the proposed early release program.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

In Memoriams

John Crowley- Entire Board
Zeola Nalls-Buffington - Supervisor Mirkarimi
Marie Mendenhall Cleasby - Supervisor Mirkarimi
Milika Fields - Supervisor Maxwell
Ruby Jones - Supervisor Dufty
Yves Saint Laurent - Supervisors Dufty and Alioto-Pier
Richard H. "Dick" Schutte - Supervisor Alioto-Pier
Robert Mondavi - Supervisor Alioto-Pier
George Frederick Jewett Jr. - Supervisor Alioto-Pier
Agnes Piccetti - Supervisor Peskin
Leon Hubert Pottier - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:15 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on July 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be

received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic

Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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June 10, 2008

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MEETING MINUTES

Tuesday, June 10, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll Supervisor Daly was noted absent. Supervisor Daly was noted present at 2:03 p.m. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the May 6, 2008 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080606 [Revising Board of Appeals Surcharges]

Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor)

Enacted Number: 105-08

FINALLY PASSED

Recommendation of the Rules Committee

080591 **[Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program]** **Supervisors Elsbernd, Maxwell, Chu, Dufty**

Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

Enacted Number: 104-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

080091 **[Treasure Island Affordable**

Housing]

Resolution encouraging the Treasure Island Development Authority and Mayor's Office of Housing to explore how to increase the percentage of affordable housing to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Budget and Finance Committee

080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings. (Arts Commission)

(Supervisor Daly dissented in committee.)

Enacted 103-08
Number:

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

From the Budget and Finance Committee Without Recommendation

071679 **[Solar Energy Incentive Program]** **Supervisor Dufty**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)
(Supervisor Daly dissented in committee.)

Enacted 102-08
Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 3 - Daly, McGoldrick, Peskin

Board of Supervisors Sitting as a Committee of the Whole

080789 [Public Hearing - Solar Energy Incentive Pilot Program]

Hearing to consider an Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

The President inquired as to whether or not any member of the public wished to address the Board members.

Michael Borenstein; support of the Solar Energy Ordinance

Julian Davis, SF Tomorrow; support of the Solar Energy Ordinance

Female speaker; support of the Solar Energy Ordinance

Jeanine Cotter; support of the Solar Energy Ordinance

Male speaker; support of the Solar Energy Ordinance

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

080630 **[Solar Energy Incentive Pilot Program]** **Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance

available; allocating program funding among types of buildings; imposing duties and responsibilities on the program administrator; and establishing requirements applicable to the long-term solar incentive program.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]

Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080585 [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]

Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)

Enacted Number: 263-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

080348 [Enterprise Zone Designation] **Mayor, Supervisor Peskin**

Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be

RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080350 [Enterprise Zone Tax Credit Law] **Mayor**

Draft Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council and to establish a sunset date.
(Economic Impact.)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080596 **[Directing the Budget Analyst to conduct an audit of the SFMTA Proof of Payment Program to determine its effectiveness]** **Supervisor Dufty**

Motion directing the Budget Analyst to conduct a review of the San Francisco Municipal Transit Agency's (SFMTA) Proof of Payment Program to determine the effectiveness of the Proof of Payment Program over the past 3 years and the effectiveness of Transit Fare Inspectors and Station agents in preventing fare evasion.

Enacted Number: M08-91

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080584 **[Outreach Advertising for FY 2008-2009]**

Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, Asian Week, Sing Tao Daily and China Press to be the outreach newspaper of the City and County for the Chinese community, Bay Area Reporter and the Bay Times to be the outreach newspaper of the City and County for the Gay, Lesbian, Bisexual community and the El Reportero to be the outreach newspaper of the City and County for the Hispanic community, to provide outreach advertising services for Fiscal Year

2008-2009. (Office of Contract Administration)

Enacted Number: 262-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

080583 [Official Advertising for FY 2008-2009]

Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

Amended to split the contract to include the San Francisco Chronicle.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 2 - Daly, McGoldrick

Resolution designating the Examiner

and the Chronicle as the official newspapers of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

ADOPTED AS AMENDED by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Peskin
Noes: 4 - Daly, McGoldrick, Mirkarimi, Sandoval

CALLED FROM COMMITTEE

Supervisor Sandoval Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisor Sandoval, at his request, because of possible conflict of interest, from voting on this matter. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Board of Supervisors Sitting as a Committee of the Whole

080684 [Public Hearing - Amending Ordinance 174-07 to Remove **Supervisor Dufty**

Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]

Hearing of persons interested in or objecting to proposed Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the $500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

The President inquired as to whether any member wished to address the Board members.

Commissioner Ron Albers

Superior Court Judge Harold Kahn; Superior Court Presiding Superior Court Judge David Balatti

Barbara Garcia, Representative of the Department of Public Health responded to questions raised by Board members

Jeff Adachi Public Defender

Father Joe; support of a Community Justice Center

Rita Shimmons, Glide Memorial; support of a Community Justice Center

Darius; support of a Community Justice Center

Arthur Evans; support of a Community Justice Center

Peter Maziak; opposed to a Community Justice Center

Mary Kate Connor; opposed to a Community Justice Center

Female speaker; opposed to a Community Justice Center

Male speaker; support of a Community Justice

Center
Female speaker; opposed to a Community Justice Center
Female speaker; support of a Community Justice Center
Female speaker; support of the Community Justice Center
Linda Magellan; support of a Community Justice Center
Caroline Diamond; support of a Community Justice Center
Bruce Ellison; opposed to a Community Justice Center
Julie Ledbetter; opposed to a Community Justice Center
Joseph Brown; opposed to a Community Justice Center
Kathy Barber; opposed to a Community Justice Center
Male speaker; opposed to a Community Justice Center
Jim Haas; opposed to a Community Justice Center
Male speaker; opposed to a Community Justice Center
Female speaker, Representative of Hastings Law School; support of a Community Justice Center
Mr. Cruz; opposed to a Community Justice Center
David Overdorf; support of a Community Justice Center
Female speaker; opposed to a Community Justice Center
Rob Black; support of a Community Justice Center

Female speaker; opposed to a Community Justice Center
Male speaker; support of a Community Justice
FILED.

Committee of the Whole Adjourn and Report Without Recommendation

Appointment of President Pro Tempore

At the request of the President, Supervisor Dufty assumed the Chair so the President could participate in the debate from the floor concerning the following item.

080685 **[Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]** **Supervisor Dufty**

Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the $500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.
(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1 - Sandoval

CALLED FROM COMMITTEE

080484 [Sublease of Real Property at 555 Polk Street] Mayor

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health. (Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1 - Sandoval

SPECIAL ORDER 3:00 P.M

080631 **[Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

The President inquired as to whether any member wished to address the Board members.

Robert Quong, Representative of the Department of Public Works

Bart Murphy, Property owner

Heard at Public Hearing.

The President declared the public hearing closed.

FILED.

080632 **[Report of Assessment Costs for Sidewalk and Curb Repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Report amended to delete the following properties: 250 Clement Street, 969 Hyde Street and 242-5th

Avenue.

Enacted Number: 260-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 2 - Ammiano, Maxwell

SPECIAL ORDER 3:30 P.M

080677 [Public Hearing - Appeal of Tentative Final Map for 43-45 Lansing Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 5, 2008, affirming the approval of Tentative Final Map to construct a new 227 unit residential condominium project located at 43-45 Lansing Street, Lot 059 in Assessor's Block No. 3749. (Appellant: Jeremy Paul on behalf of Michael Vriheas)

(District 6.)

The President inquired as to whether any member wished to address the Board members.

The appellant has withdrawn the appeal.

The President declared the public hearing closed.

FILED.

Pursuant to Government Code Section 65009, the

following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080678 [Approving decision of the Director of Public Works and approving the Tentative Map for 43-45 Lansing Street]

Motion approving the decision of the Director of Public Works, finding the Tentative Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059. (Clerk of the Board)

Enacted Number: M08-92

Supervisor Dufty, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080679 [Disapproving decision of the Director of Public Works and disapproving the Tentative Map for 43-45 Lansing Street]

Motion disapproving the decision of the Director of Public Works concerning the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059, and disapproving the subdivision. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080680 [Findings - 43-45 Lansing Street Tentative Map]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059. (Clerk of the Board)

Enacted M08-93
Number:

Supervisor Dufty, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to members of the Blue Ribbon Panel's Community Outreach Task Force. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisor Dufty was noted absent at 5:28 p.m.

080694 **[Public Hearing - Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]** **Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's

Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

The President inquired as to whether any member wished to address the Board members.

Heard at Public Hearing.

The President declared the public hearing closed.

FILED.

080695 [Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street] **Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

Enacted Number: 265-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Dufty

COMMITTEE REPORTS

080706 [Appointment, Board of Appeals - Kendall Goh]

Motion approving Board of Supervisors President Peskin's appointment of Kendall Goh to the Board of Appeals for the term ending July 1, 2008, and the term ending July 1, 2012.

Enacted M08-94
Number:

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

080617 [Accept-expend federal grant funds, Fire Department - $1,173,212] **Supervisor Elsbernd**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $1,173,212 from the Federal Emergency Management Agency (FEMA) to develop and implement a Wellness and Fitness Program. (Fiscal Impact.)

Enacted 264-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Dufty

080783 **[Intention to form the Broadway Entertainment Corridor Community Benefit District]** **Supervisor Peskin**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Broadway Entertainment Corridor Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Enacted Number: 245-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Dufty

080784 **[Intention to form the Yerba Buena Community Benefit District]** **Mayor**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Yerba Buena Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Enacted Number: 246-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megehed; expressed concern with issues relating to the Iraq war

James Chaffee; expressed concern with issues relating to the SF Public Library

Edward Evans; support of universal health act

Ursula Maguire; support of universal health act

Tom Oliver; expressed concern with issues relating to the closure of the hearing dog program

Female speaker; expressed concern with issues relating to to the closure of the the hearing dog program
Richard McGreary; expressed concern with issues relating to his patent for the Sigmund Grove
Peter Warfield; expressed concern with issues relating to the SF Public Library
Female speaker; expressed concern with issues relating tothe Zoo contract
Walter; shared with the Board in song certain memorabilia
Mark Perez; support of universal health act
Neil Malleck; shared with the Board San Francisco history
Male speaker; expressed concern with issues relating to the violation of human rights in Nigeria
Colleen; expressed concern with issues relating to the war and costs and the need to support of World Peace and cease a fire
James Cowan; support of universal health act
John Jenkel; expressed concern with issues relating to the Iraq War
Female speaker; support of universal health act
Don Decker; support of universal health act
Iona Lonehorna; expressed with issues relating to a fire in her apartment and not getting satisfaction from agencies to fix this apartment
Douglas; expressed concern with issues relating to the Zoo and animal welfare
Edmund; expressed concern with issues relating to the medical marijuana

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee. Supervisors Peskin and McGoldrick were noted absent at 6:02 p.m.

080785 **[Lymphoma Research Foundation Day - June 8, 2008]** **Supervisor Peskin**

Resolution declaring June 8, 2008 "Lymphoma Research Foundation Day" in San Francisco.

Enacted Number: 266-08

ADOPTED

080786 **[Grant to support resident transitions at Laguna Honda Hospital - $10,000]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Department of Public Health - Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of $10,000 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of September 1, 2007 through June 30, 2008.

Enacted Number: 267-08
ADOPTED

080787 **[Commending Wooly Wolverton]** **Supervisor Dufty**

Resolution commending Wooly Wolverton.

Enacted Number: 268-08
ADOPTED

080788 **[Condemning Chevron Corporation for its domestic and international business practices]** **Supervisors Ammiano, Daly, Mirkarimi, Peskin**

Resolution condemning Chevron Corporation for a systematic pattern of ethically questionable investments, complicity in human rights abuses, and environmental devastation in countries and communities in which it operates.

Enacted Number: 270-08
ADOPTED

PASS THE CONSENT AGENDA by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval
Absent: 3 - Dufty, McGoldrick, Peskin

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval
Absent: 3 - Dufty, McGoldrick, Peskin

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the

City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval

Absent: 3 - Dufty, McGoldrick, Peskin

080815 **[Commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan]** **Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan on their selection as "Unsung Heroes" by KQED and the LGBT community.

Enacted Number: 269-08

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Absent: 2 - Dufty, Peskin

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Introduced by Supervisors or Mayor Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Ordinances

080800 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]** Mayor

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080801 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]** Mayor

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080802 **[MOU, Amendment No. 2 - Service Employees International Union, Local 1021]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080803 **[MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080804 **[MOU, Amendment No. 1 -** **Mayor,**

International Federation of Professional and Technical Engineers, Local 21] **Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080805 **[MOU, Amendment No. 1 - Municipal Attorneys' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080806 **[MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and

the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.
6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080807 **[MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.
6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080808 **[MOU, Amendment No. 1 - Teamsters, Local 350]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080809 **[MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080810 **[MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080811 **[MOU, Amendment No. 1 -** **Mayor,**

Union of American Physicians and Dentists (Unit 11AA)] **Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080812 **[MOU, Amendment No. 2 - Municipal Executives' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080813 **[MOU, Municipal Executives' Association - Fire]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.
6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080814 **[MOU, Municipal Executives' Association - Police]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.
6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080818 **[Recreation and Park - San Francisco Zoo Policies and Oversight]** **Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; and to establish a Zoo Animal Welfare Oversight advisory committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals

are met.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

080819 **[Definition of Disability and Eviction Protection for Children]** **Supervisor Daly**

Draft ordinance prohibiting owner-move in evictions for households with children under the age of 18, and to amend the definition of disability so that it is the same as the definition of disability in the City's relocation section of the Rent Ordinance.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

080820 **[Parcel Map - 2 Unit Buildings in Condominium Conversion Lottery]** **Supervisor Daly**

Draft ordinance placing 2 unit buildings in condominium conversion lottery and exempting 2 unit buildings that are owner occupied as of August 1, 2008.
(Economic Impact)
6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

080821 **[Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]** **Supervisor Daly**

Draft ordinance amending the San Francisco Rent Ordinance to define and prohibit harassment by a landlord and providing for rent reduction fines for landlords who are harassing tenants.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

080822 **[Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking]** **Supervisors Chu, Maxwell, Alioto-Pier**
Draft ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by making Findings and amending Sections 37.2 and 37.9 to provide protections for tenants who are victims of domestic violence or stalking, including protection from evictions based on the actions of abusers or stalkers, rental agreement termination rights where personal safety is at substantial risk, and confidentiality protections.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

080823 **[Establishment of floodplain management programs and designation of floodplain administrator]** **Supervisor Elsbernd**
Ordinance establishing a floodplain management program by adding Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain

administrator; and providing requirements for designating floodplains and for construction and development in floodplains.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

080826 **[Menu Labeling at Chain Restaurants]** **Supervisor Ammiano**
Ordinance amending Sections 468.2, 468.3, 468.4, 468.5, 468.6, and 468.8 of the San Francisco Health Code to (1) set rounding rules for disclosure of nutritional information, (2) allow nutritional information for pizzas to be listed per serving size, (3) allow chain restaurants to display the information required by Section 468.4 in brochures and booklets, (4) authorize the Director of the Department of Public Health to adopt rules and regulations to enforce these provisions, and (5) extend the deadlines for electronic reporting and disclosure on menus, food tags, and posters.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008. Sponsor requests that the item be scheduled for the next meeting of Rules Committee.

080827 **[To increase rates of Real Property Transfer Tax for sales in excess of $1 million]** **Supervisor McGoldrick**
Ordinance amending Section 1102 of Article 12-C of the Business and Tax Regulations Code to increase

the Real Property Transfer Tax rate from 0.75% to 1% if value or consideration for transfer equals or exceeds $1 million but is less than $1.25 million, to 1.25% if value or consideration for transfer equals or exceeds $1.25 million but is less than $1.75 million, to 1.5% if value or consideration for transfer equals or exceeds $1.75 million but is less than $2 million, and to 1.75% if value or consideration for transfer equals or exceeds $2 million.
6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008.

080830 **[Pre-Tax Commuter Benefits for Qualifying Transit]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding a new Section 421 to require San Francisco employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize the Department of the Environment to implement an Emergency Ride Home program; and making environmental findings. (Fiscal Impact.)
6/10/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/10/2008.
06/24/08 - Referred to Planning for determination of environmental impact. 06/24/08 - Referred to the Dept. of the Environment for review and coment. 07/01/08 - Response received from Planning, Categorically exempt from CEQA.

080831 [Payroll Expense Tax] **Supervisor Peskin**

Ordinance amending the Business and Tax Regulations Code by amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities.
(Economic Impact)
6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commision for review and comment. 6/23/08 - Referred to Planning Department for environmental review. 06/30/08 - Response received from Planning, exempt from CEQA.

080832 [Real Property Transfer Tax] **Supervisor Peskin**

Ordinance amending the Business and Tax Regulations Code by amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds $2 million, and by amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after

January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, and by amending Section 1115 to clarify application of tax to transfers of ownership interests in legal entities that own real estate.
(Economic Impact)
6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commision for review and comment. 6/23/08 - Referred to Planning Department for environmental review. 06/30/08 - Response received from Planning, exempt from CEQA.

080792 **[Replacing the Emergency Response Fee, with a general tax at the same rates and with the same exemptions and modernizing the Telephone Users Tax without changing the rate or exemptions.]**

Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Ordinance amending the Business and Tax Regulations Code by: (1) repealing Article 10A, Sections 750-770, to eliminate the Emergency Response Fee; (2) adding Article 10B, Sections

780-786, to add an Access Line Tax; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, all to update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commision for review and comment. 6/23/08 - Referred to Planning Department for environmental review. 06/30/08 - Response received from Planning, exempt from CEQA.

080793 [Retroactively appropriating $5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $3,544,110 of State Proposition 41 grant revenue, $898,965 of settlement revenue, $86,446 of revenue from candidate filing fees and other general government charges, and $1,666,690 of General Fund Reserve, for a total appropriation of $6,196,211, for a new voting system and election services in the

Department of Elections for Fiscal Year 2007-2008. (Fiscal Impact.)
6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080794 **[Appropriating $16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $16,864,000, including $15,449,000 in surplus hospital revenues and $1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating $5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)
6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

080815 **[Commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan]** **Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan on their selection as "Unsung Heroes" by KQED and the LGBT community.
6/10/08, ADOPTED.

080817 **[Condemnation of ICE and DIHS for its treatment of detainees and deportees]** **Supervisor Ammiano**

Resolution condemning ICE and DIHS for its systemic neglect of detainees' medical needs, and its forced injection of deportees with psychotropic drugs upon their deportation.
6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080824 **[Resolution establishing a floodplain management programs and designation of floodplain administrator]** **Supervisor Elsbernd**

Resolution authorizing enrollment in the National Flood Insurance Program, providing assurances that the City, acting by and through the City Administrator, will implement a floodplain management program, and authorizing the City Administrator to take actions necessary to implement this resolution.
6/10/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080825 **[Apply for state grant up to** **Supervisor**

$1,000,000 - Sheriff's Department project to address the needs of mentally ill offenders in the jails] **Elsbernd**

Resolution authorizing the Sheriff's Department to apply for a 12-month grant in an amount not to exceed $ 1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.
6/10/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080828 **[Public Education Enrichment Fund - First Five Commission]** **Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.
6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080829 **[Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]** **Supervisor McGoldrick**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-08.
6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080833 **[Commending the Friends and** **Supervisor**

Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon **Sandoval**

Resolution commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080834 **[70 day extension for Planning Commission review - Zoning Map ZN Amendment]** **Supervisor Sandoval**

Resolution extending by 70 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Zoning Map ZN of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located on the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, One-Family) District to NC-3 (Moderate-Scale, Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080835 **[Authorizing the Department of the Environment to develop a proposal for an environmental education program based on the EcoMedia term sheet]** **Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to develop a proposal for an EcoZone environmental education program for San Francisco, based on the EcoMedia term sheet.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080836 **[Application to California State Department of Housing and Community Development for BEGIN Program funding]** **Supervisor Daly**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080837 **[Honoring Belinda Bellinger]** **Supervisor Daly**

Resolution commending Belinda Bellinger for her service to the youth of San Francisco and wishing her well until she returns to our great city.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080838 **[Urging Congress to hold hearings on House Resolution 676]** **Supervisor Ammiano**

Resolution Urging the United States House of Representatives to begin hearings on House Resolution 676 - The United States National Health Insurance Act (Expanded and Improved Medicare for All) authored by Representative John Conyers, Jr. (D - MI).

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080839 **[Requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at SFO will retain their tips]** **Supervisor Ammiano**

Resolution requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at the San Francisco International Airport will retain their tips and work with the Los Angeles City Attorney.
6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080816 [San Francisco Redevelopment Agency] **Supervisor Daly**

Hearing on San Francisco Redevelopment Agency's Application for $25,021,079 in Proposition 1C Funds from the California Department of Housing and Community Development (HCD) to subsidy construction costs in the Hunters Point Shipyard Redevelopment Project Area.
6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

080791 [Declaration of Policy - Repealing the Emergency Response Fee and Enactment of an Access Line Tax] **Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Dufty,**

Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Motion submitting a policy declaration to the qualified electors of the City and County of San Francisco at the November 4, 2008 election concerning the voter's non-binding recommendation that Article 10A (the Emergency Response Fee) be repealed, that Article 10B (Access Line Tax) be added to the Business and Tax Regulations Code and that the proposed Access Line Tax revenues be expended to support public safety and health by funding San Francisco's 911 Emergency Communications Center.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Charter Amendment

080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments;

Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending

Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

5/21/08, SUBSTITUTED. Amendment of the Whole (Second Draft), new title. 30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

6/10/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute charter amendment bearing new title.

PROPOSED ORDINANCES

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital

Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program and authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco General Hospital Rebuild Program. (Public Works Department)

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED RESOLUTIONS

080673 [San Francisco Public Utilities Commission Cross Connection Controls Project]

Resolution adopting Final Mitigated Negative Declaration, and adopting findings pursuant to the California Environmental Quality Act (CEQA), including the Mitigation Monitoring and Reporting Plan, related to use of appropriated funds for San Francisco Public Utilities Commission (SFPUC) Cross Connection Controls Project. (Public Utilities Commission)

5/30/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080674 **[IHSS Contract Approval - $51,433,291]**

Resolution to amend Resolution # 644-05 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of $51,433,291. (Human Services Department) (Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080675 **[Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011. (Public Health Department) (Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080764 **[Ratification of increases to**

prior professional service contracts for health and behavioral health services]

Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the amounts of five of those contracts. (Public Health Department)

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]

Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Rebuild Program. (Public Works Department)

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From: Supervisor Chu

To: Controller

Requesting/Inquiring: Requesting that the Controller quantify direct tax revenue and fees that would be associated with increase of marriages expected as a result of the State Supreme Court's ruling on same-sex marriages for both the current and next fiscal years. The report should include analysis of anticipated increase in tourism and spending in San Francisco. The report should also indicate if this revenue can be certified, and when the funds can be expended.

From: Supervisor Mirkarimi

To: Director, Department of Pubic Works

Requesting/Inquiring: Requesting that the Department of Pubic Works report on the status of removing graffiti at the following private property locations:

516 Haight
355 Laguna
306 Laguna
571 Fell
497 Oak
420 Haight
901 Haight
1055 Haight
1301 Haight
410 Oak
702 Haight
546 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:

Wood
In front of 432 Oak
406 Buchanan
Trash Cans
Northeast corner of Octavia and Fell
Fire Hydrant
Northeast corner of Haight and Divisadero
Mailbox
Octavia and Oak
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes:
Southeast corner of Eddy and Webster
Southeast corner of Golden Gate and Scott
Southwest corner of McAllister and Fillmore
East side, mid-block of Buchanan and Linden
City Trash Cans
Southwest corner of Buchanan and Hayes
546 Haight Street
Southeast corner of Scott and Eddy
Mailboxes
Southwest corner of

In Memoriams

Joan Keane Crotty - Supervisor Elsbernd
Bariton La Royce Coleman - Supervisors Maxwell and Ammiano

Sumner Robertson Winship - Supervisor Dufty
Janet Marie Kerpan - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:43 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on July 22, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or

displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
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AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

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For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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MEETING MINUTES

Tuesday, June 17, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Sophie Maxwell.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Maxwell and McGoldrick were noted absent.
Supervisor McGoldrick was noted present at 2:05 p.m.
Supervisor Maxwell was excused from attending today's meting.
There was a quorum present.

Supervisor Maxwell Excused from Attendance

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Maxwell

from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]

Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees. (Mayor)

Enacted Number: 107-08

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

080654 **[Grant funds to support HIV/AIDS treatment and prevention services - $1,244,866]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a new grant in the amount of $1,244,866 from the Department of Health & Human Services - Centers for Medicare & Medicaid Services (DHHS-CMS) to support a project entitled "Improving HIV/AIDS Treatment and Prevention Services," for the period of July 1, 2008 through June 30, 2009.

Enacted Number: 273-08

ADOPTED

Recommendation of the Public Safety Committee

080707 **[Homeland Security grants]**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal

financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under the FY 08 Homeland Security Grant Program (which includes the FY 08 Urban Areas Security Initiative (UASI) grant, the FY 08 Metropolitan Medical Response System (MMRS) grant, the FY 08 Citizen Corps Program (CCP) grant, and the FY 08 State Homeland Security Grant Program), the FY 07 and FY 08 Buffer Zone Protection Program (BZPP) grant, the FY 08 Hazard Mitigation Grant, the FY 08 Pre-Disaster Mitigation Grant, the FY 08 Emergency Management Performance Grant (EMPG), the FY 07 and FY 08 Regional Catastrophic Preparedness Grant Program (RCPGP), or any other federally funded grant program and Public Law 110-161. (Mayor)

Enacted Number: 275-08

ADOPTED

080628 [Settlement of Lawsuit - CCSF v. Competent Builders, Inc. - $510,000]

Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v. Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148) in the amount of $510,000 paid to San Francisco by Competent Builders, Inc., and its subcontractors.

(City Attorney)

PASSED, ON FIRST READING

080629 [Settlement of Lawsuit - Tamara Josi - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San Francisco for $75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080372 [Appointments - Veterans Affairs Commission - George Gibbs and Dara Wong]

Motion appointing George Gibbs and Dara Wong, terms ending January 31, 2012, to the Veterans Affairs Commission.

George Gibbs, succeeding himself, term expired, seat 6, must be a veteran with a physical disability, for a four year term ending January 31, 2012; Dara Wong, succeeding Cheryl Cook, term expired, seat 9, must be an at-large appointment, for a four year term ending January 31, 2012.

Enacted Number: M08-95

APPROVED

080712 [Appointments - Child Care Planning and Advisory Council - Margaret Jerene and David Fleishman]

Motion appointing Margaret Jerene, term ending December 31, 2010, residency requirement waived and David Fleishman, term ending December 31, 2009, to the Child Care Planning and Advisory Council.

Margaret Jerene, succeeding herself, term expired, seat 1, must be a nominee of District 1 Supervisor, for three-year term ending December 31, 2010 (residency waiver required). Must be selected from parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative". Initial term two years beginning 1/1/03, subsequent terms 3 years. David Fleishman, succeeding himself, term expired, seat 2, must be a nominee of District 2 Supervisor, for three-year term ending December 31, 2009. Must be selected from parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child

Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative". Initial term four years beginning 1/1/03, subsequent terms 3 years.

Enacted Number: M08-98
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Severed From the Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

080611 [Appointment - Sunshine Ordinance Task Force - James Knoebber]

Motion appointing David Waggoner, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

David Waggoner, succeeding Doug Comstock, term expired, seat 6, must be experienced in Consumer

Advocacy, for a two-year term ending April 27, 2010.

Amended by replacing the name of "David Waggoner" with "James Knoebber".

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Maxwell

Motion appointing James Knoebber, term ending April 27, 2010, to the Sunshine Ordinance Task Force. James Knoebber, succeeding Doug Comstock, term expired, seat 6, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2010.

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

080630 **[Solar Energy Incentive Pilot Program]** **Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; imposing duties and responsibilities on the program administrator; and establishing requirements applicable to the long-term solar incentive program.

Enacted 106-08
Number:

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080723 **[Interim Consolidated Budget** **Mayor**

and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.

(Fiscal Impact.) (Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Maxwell

080724 [Interim Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010] **Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Years ending June 30, 2009 and June 30, 2010,

continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Maxwell

080727 [Redevelopment Agency Interim Mayor Budget]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted Number: 276-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly
Excused: 1 - Maxwell

080729 **[Treasure Island Development Authority Interim Budget]** **Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2008-2009.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted Number: 277-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Maxwell

Recommendations of the City Operations and Neighborhood Services Committee

080545 **[Liquor License Expansion, 503 Jones Street]**

Resolution determining that the expansion of a bar with a Type 48 on-sale general public premises liquor license currently issued to Brian Sheehy at 501 Jones Street to include the location of 503 Jones Street (District 6), for Bourbon & Branch bar, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California

Business and Professions Code, with conditions.

Enacted 278-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

080501 **[Liquor License, 1419 18th Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Joel Bleskacek for Ruby Wine, LLC dba Ruby Wine, located at 1419 18th Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 279-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

Supervisor McGoldrick Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved Supervisor McGoldrick was excused from voting on this matter due to a possible

conflict of interest. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Excused: 2 - Maxwell, McGoldrick

080388 [Liquor License, Pier 39, Space N213A]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Tiffany M. Pisoni for Wines of California wine bar, located at Pier 39, Space N213A (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Supervisor McGoldrick excused from voting in committee.)

Enacted 280-08
Number:
ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Excused: 2 - Maxwell, McGoldrick

Recommendations of the Government Audit and Oversight Committee

080779 [Closure of the Potrero Power Plant] **Supervisors Maxwell, Dufty, McGoldrick,**

Peskin, Sandoval, Mirkarimi

Resolution urging the Public Utilities Commission and the City Attorney to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant; and establishing minimum criteria for any in-City generation projects to close the Potrero Power Plant.
Continued to June 24, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080397 [Agreement to Purchase Property in Tuolumne County- $376,000]

Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of $376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and

take certain actions in furtherance of this resolution.
(Real Estate Department)
(Fiscal Impact.)

Enacted Number: 271-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080563 [Eliminating Health Care Disparities] **Supervisors Maxwell, Peskin, Alioto-Pier, Daly**

Resolution outlining the Board of Supervisors commitment to eliminating health disparities and adopting the Leading Health Indicators set by Healthy People 2010 as the basis for public health priority-setting and decision-making.

Supervisors Peskin, Alioto-Pier and Daly requested to be added as co-sponsors.

Enacted Number: 281-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendations of the Land Use and

Economic Development Committee

080589 **[Agreement to Accept the Dolores Hotel Located at 35-37 Woodward Street]** **Supervisor Daly**

Resolution approving and authorizing the execution and performance of an Agreement to Transfer and an Irrevocable Assignment and Assumption Agreement and Amendment to Loan Documents relating to the property commonly known as Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the transfer is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Supervisor Daly requested to be added as sponsor.

Enacted 282-08
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080095 **[Requirements for off-street parking and loading]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 150 to allow residential

accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 151 to reduce the required number of parking spaces for housing for seniors and physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities; amending Section 154 to revise the minimum dimensions for off-street parking spaces, to encourage space-efficient parking and to no longer require independently accessible parking and define independently accessible parking to include parking accessed by automated garages or car elevators and valet parking; amending Section 155 to delete a requirement for independently accessible parking and require parking design to prevent bicycle and transit lane conflicts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 167 to provide for optional parking in all new residential buildings or conversions to residential buildings of 10 units or more; amending Section 204.5 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 790.10 to include a car-share parking space as part of a community residential parking use; amending Section 890.7 to include a car-share parking space

as part of a community residential automobile parking lot use; amending Section 890.8 to include a car-share parking space as part of a community residential automobile parking garage use; and adopting findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendations of the Rules Committee

080527 **[Requiring Assessor to report reductions of real property assessments]** **Supervisors Sandoval, Peskin, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080529 **[Requiring Activation of Closed Captions on Television Receivers]** **Supervisors Alioto-Pier, Dufty,**

Ammiano

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080698 [Confirming the reappointment of Ann Blumlein Lazarus to the San Francisco Port Commission] **Mayor**

Motion confirming the reappointment of Ann Blumlein Lazarus to the San Francisco Port Commission for a four-year term ending May 1, 2012.

Enacted Number: M08-97

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080799 [Appointment- Veterans Affairs Commission- Stephen Noetzel]

Motion appointing Stephen Noetzel, term ending January 31, 2012, to the Veterans Affairs Commission.

Stephen Noetzel, succeeding Wallace Levin, term expired, seat 3, must be an at-large appointment, for a four year term ending January 31, 2012. (Supervisor Dufty dissented in committee.)

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to amend by replacing the name of "Stephen Noetzel" with "Wallace Levin."

Motion to amend failed by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Noes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1- Maxwell

NOT APPROVED by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

Excused: 1 - Maxwell

From the Rules Committee Without Recommendation

080619 **[Providing for appointment rather than election of the City Treasurer]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment

rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

Continued to June 24, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

Continued to June 24, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick was present at 3:20 p.m.

080722 **[Committee of the Whole - Beilenson Hearing]**

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services.

The President inquired as to whether any member of the public wished to address the Board members.

Bill Hirsh; expressed concern with the proposed reductions in the budget for the Department of Public Health

Raymond; expressed concern with the proposed reductions in the budget for the Department of Public Health

Roger Kat; expressed concern with the proposed reductions in the budget for the Department of Public Health

Patrick Monette-Shaw; expressed concern with the proposed reductions in the budget for the Department of Public Health

C.W. Johnson; expressed concern with the proposed reductions in the budget for the Department of

Public Health
Connie Ford; expressed concern with the proposed reductions in the budget for the Department of Public Health
Jenny Wiley; expressed concern with the proposed reductions in the budget for the Department of Public Health
Male speaker; expressed concern with the proposed reductions in the budget for the Department of Public Health
Felicia Houston; expressed concern with the proposed reductions in the budget for the Department of Public Health
Boby Bogan; expressed concern with the proposed reductions in the budget for the Department of Public Health
Janet Goy; expressed concern with the proposed reductions in the budget for the Department of Public Health
Michael Discepola; expressed concern with the proposed reductions in the budget for the Department of Public Health
Michael Sonders; expressed concern with the proposed reductions in the budget for the Department of Public Health
Eve Meyer; expressed concern with the proposed reductions in the budget for the Department of Public Health
Michael Siever; expressed concern with the proposed reductions in the budget for the Department of Public Health
Courtney Mulhern-Pearson; expressed concern with

the proposed

FILED.

COMMITTEE REPORTS

080350 [Enterprise Zone Tax Credit Law] **Mayor**

Draft Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council and to establish a sunset date.

(Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Maxwell

080348 [Enterprise Zone Designation] **Mayor, Supervisor**

Peskin

Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

Enacted Number: 274-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation

assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Library

Richard McGeary; expressed concern with issues relating to a patent for his design for Sigmund Stern Grove

Peter Warfield; expressed concern with issues relating to SF Library and fees imposed by the Library

Walter; expressed in song certain general issues

John Di Dona; showed interest in support of same sex marriage

Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights

Female speaker; expressed concern with issues relating to the violations of human rights to Falun Gong practitioners

Alan Zing; expressed concern with issues relating to the violations of human rights to Falun Gong practitioners

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for

adoption of these resolutions today. Any Supervisor may require any resolution to go to committee. Supervisor McGoldrick was noted absent at 2:58 p.m.

080833 **[Commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon** **Supervisor Sandoval**

Resolution commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project.

Enacted Number: 283-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

Excused: 1 - Maxwell

080834 **[70 day extension for Planning Commission review - Zoning Map ZN Amendment]** **Supervisor Sandoval**

Resolution extending by 70 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would

amend Zoning Map ZN of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located on the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, One-Family) District to NC-3 (Moderate-Scale, Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 284-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

Excused: 1 - Maxwell

080836 [Application to California State Department of Housing and Community Development for BEGIN Program funding] **Supervisor Daly**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the

BEGIN Program.

Enacted Number: 272-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

080837 [Honoring Belinda Bellinger] **Supervisor Daly**

Resolution commending Belinda Bellinger for her service to the youth of San Francisco and wishing her well until she returns to our great city.

Enacted Number: 285-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

080838 [Urging Congress to hold hearings on House Resolution 676] **Supervisor Ammiano**

Resolution Urging the United States House of Representatives to begin hearings on House Resolution 676 - The United States National Health Insurance Act (Expanded and Improved Medicare for All) authored by Representative John Conyers, Jr. (D - MI).

Enacted 286-08
Number:
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

080839 **[Requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at SFO will retain their tips]** **Supervisor Ammiano**

Resolution requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at the San Francisco International Airport will retain their tips and work with the Los Angeles City Attorney.

Enacted 287-08
Number:
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

Severed From the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be

severed so that it might be considered separately.

080835 **[Authorizing the Department of the Environment to develop a proposal for an environmental education program based on the EcoMedia term sheet]** **Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to develop a proposal for an EcoZone environmental education program for San Francisco, based on the EcoMedia term sheet.

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080827 **[To increase rates of Real Property Transfer Tax for sales in excess of $1 million]** **Supervisor McGoldrick**

Ordinance amending Section 1102 of Article 12-C of the Business and Tax Regulations Code to increase

the Real Property Transfer Tax rate from 0.75% to 1% if value or consideration for transfer exceeds $1 million but is less than or equal to $1.25 million, to 1.25% if value or consideration for transfer exceeds $1.25 million but is less than or equal to $1.75 million, to 1.5% if value or consideration for transfer exceeds $1.75 million but is less than or equal to $2 million, and to 1.75% if value or consideration for transfer exceeds $2 million.
(Economic Impact)

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008.

6/17/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

6/17/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commision for review and comment. 6/23/08 - Referred to Planning Department for environmental review. 06/30/08 - Response received from Planning, exempt from CEQA.

080872 **[Planning - Union Street Neighborhood Commercial District - Full-Service Restaurants]** **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy

specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
6/17/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/17/2008.

080878 [Arrest and crime statistics for gang injunction safety zones] **Supervisor Daly**

Ordinance adding Section 2A.89 to the Administrative Code to require statistical reporting regarding arrests and crimes in and around safety zones created by permanent civil gang junctions, and making related findings.
6/17/08, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 7/17/2008.

080879 [Clarifying and consolidating reporting requirements; requiring electronic filing] **Supervisor Daly**

Ordinance amending sections 1.108, 1.112, 1.113, and 1.135 of the Campaign and Governmental Conduct Code, to clarify and consolidate campaign finance reporting requirements, and to expand electronic filing.
6/17/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/17/2008.

080880 [Recreation and Park Department - Event Fees] **Supervisor McGoldrick**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.22 to amend the fees for use of the parks for events.
6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/24/08 - Referred to Planning for determination of environmental impact. 06/24/08 - Referred to Youth Commission for review and comment. 07/01/08 - Response received from Planning, Exempt from CEQA. 07/02/08 -Fee ad placed in the July 4, 2008 and July 11, 2008 editions of the San Francisco Examiner.

080881 **[Recreation and Park Department - Athletic Field Fees]** **Supervisor McGoldrick**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36 to amend the Athletic Field Fees.
6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 06/24/08 - Referred to Planning for determination of environmental impact. 06/24/08 - Referred to the Youth Commission for review and comment.07/01/08 - Response received from Planning, Exempt from CEQA. 07/02/08 -Fee ad placed in the July 4, 2008 and July 11, 2008 editions of the San Francisco Examiner.

080883 **[Zoning - Creating the New Mission-Harrington Special Use District]** **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Special Use District Map SU11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

080886 **[Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]** **Mayor**

Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.

6/17/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/17/2008.

080887 **[SFPD MOU for Loan of FBI Vehicles]** **Mayor**

Ordinance approving a memorandum of understanding between the City and County of San

Francisco and the Federal Bureau of Investigations (FBI) for the loan of two Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department Tactical Company, and waiving the indemnification requirements of the San Francisco Administrative Code Chapter section 4.18 for this agreement, and approving the City indemnifying and holding the FBI harmless against claims arising from the activities of the City under the MOU.
6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

080873 [Naming the alleys behind the 2200 block of Fillmore Street Goldberg Lane] **Supervisor Alioto-Pier**

Resolution bestowing the new name of Goldberg Lane on the alleys behind the 2200 block of Fillmore Street, currently known as Unnamed Streets 110 and 111, in honor of the late Faye Goldberg.
6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080874 [Urging the State of California to repeal local preemption regarding pesticides] **Supervisors Alioto-Pier, Mirkarimi, Maxwell, Peskin**

Resolution urging the State of California to repeal the local preemption ban which prohibits local jurisdictions from banning pesticides throughout

their city and county limits.
6/17/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080875 **[Accept-Expend State Grant, Port Commission - $3,117,512]** **Supervisor Alioto-Pier**
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $3,117,512 from the California Office of Homeland Security for security enhancements at the Port of San Francisco.
6/17/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080876 **[Recurring FY 2008-2009 State grant funds to the Department of Public Health]** **Supervisor Alioto-Pier**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2008-2009.
(Fiscal Impact.)
6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080882 **[Lease of Real Property - 1449 Webster Street]** **Supervisor Mirkarimi**
Resolution authorizing the lease of 3,900 sq. ft. at 1449 Webster Street for employment assistance programs.
(Fiscal Impact.)

6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080884 **[Appointment, San Francisco Children and Families First Commission - Supervisor Carmen Chu]** **Supervisor Peskin**

Resolution appointing Supervisor Carmen Chu, term indefinite, to the San Francisco Children and Families First Commission.

6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080898 **[Commending Dennis Richmond on his 40 year career at KTVU]** **Supervisor Dufty**

Resolution commending Dennis Richmond on his 40 year career at KTVU.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080899 **[Congratulating the opening of the Contemporary Jewish Museum on June 8, 2008]** **Supervisors Dufty, Peskin**

Resolution congratulating the opening of the Contemporary Jewish Museum in the City and County of San Francisco on June 8, 2008.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080900 **[Commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival]** **Supervisors Dufty, Ammiano**

Resolution commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080901 **[Grant to fund a study through the HIV Prevention Section, Department of Public Health - $10,566]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $10,566 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole to Reduce Methamphetamine Use among MSM with HIV," for the period of September 28, 2007 through July 31, 2008.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080902 **[Grant to fund a study through the HIV Prevention Section, Department of Public Health - $12,680]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $12,680 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM," for the period of August 1, 2007 through July 31, 2008.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080903 **[In support of Senate Bill 1420 - Nutritional Information on Menus and Menu Boards]** **Supervisor Ammiano**

Resolution supporting Senate Bill 1420-Nutritional Information on Menus and Menu Boards.

6/17/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080904 **[Accept-expend federal-state pass through grant, Department of Economic and Workforce Development - $237,254]** **Supervisor Mirkarimi**

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $237,254 from the United States Department of Labor passed through the California Employment Development Department for workforce development activities.
6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080905 [Accept-expend private grant, Department of Economic and Workforce Development - $100,000] **Supervisor Mirkarimi**

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $100,000 from the Evelyn and Walter Haas, Jr. Fund for workforce training.
6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

080855 [Minimum Compensation Ordinance Rate for Fiscal Year 2008-2009] **Supervisor Ammiano**

Hearing on Minimum Compensation Ordinance Rate for Fiscal Year 2008-2009. In accordance with 12P.3 (a)(1)(C)(iii) the Budget and Finance Committee of the Board shall hold a hearing before adoption of the budget to consider the report and whether there are

alternative funding sources or prudent reductions in City expenses available to enable the City to pay the additional costs of the CPI increase for the upcoming fiscal year without jeopardizing City operations.
6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080858 [Conversion of affordable housing units to group housing units by Academy of Art University] **Supervisor Daly**

Hearing regarding the Academy of Art University converting to group housing, affordable rental housing in seventeen buildings in San Francisco to group housing, the preparation of its institutional master plan, and the environmental review of the institutional master plan prepared by the Academy of Art University.
6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080859 [Planning Department's procedures for enforcing the formula retail ordinance] **Supervisor McGoldrick**

Hearing on the processes and procedures of the Planning Department for enforcing the formula retail ordinance and administering fines for businesses not in compliance.
6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080860 **[Children's Services Allocation Plan 2007-2010]** **Supervisor Peskin**

Hearing on the Proposed Amendment to the Children's Services Allocation Plan 2007-2010.
6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080861 **[Bike Plan Injunction]** **Supervisor Sandoval**

Hearing with the Planning Department, Municipal Transportation Agency and the City Attorney's Office to discuss the Bike Plan injunction which has prevented implementation of the City's bike plan, and to discuss bike safety issues.
6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080862 **[Animal Welfare Policy]** **Supervisor Sandoval**

Hearing to discuss animal welfare policy at the Department of Animal Care and Control and other nonprofit and private agencies.
6/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080863 **[Funding for the deployment of the United States Armed Forces in Iraq]** **Supervisors Daly, Mirkarimi, McGoldrick, Ammiano**

Hearing to consider the proposed initiative declaration of policy to be submitted by four or more

Supervisors to the voters at the November 4, 2008 election entitled "Declaration of Policy concerning the funding for the deployment of the United States Armed Forces in Iraq".
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080864 [Treatment on Demand Act] **Supervisors Daly, Peskin, Mirkarimi, McGoldrick**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 4, 2008 election entitled "Ordinance amending the San Francisco Administrative Code by adding Section 19A.23 create the Treatment on Demand Act".
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080865 [Installation of PG&E "Smart Meters" in the City and County of San Francisco] **Supervisors Peskin, Dufty, Ammiano, McGoldrick, Mirkarimi**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 4, 2008 election entitled "Installation of PG&E "Smart Meters" in the City and County of San Francisco".

6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080866 **[Appropriating $1,500,000 for Mental Health Trauma Recovery Services]** **Supervisors Peskin, Mirkarimi, Daly, Ammiano**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 4, 2008 election entitled "Ordinance appropriating $1,500,000 from the General Fund to the Department of Public Health, Mental Health Services, to fund Mental Health Trauma Recovery Services".

6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080867 **[Planning - Conditional Use Requirement for Steam or Fossil-Fueled Power Plants in M-1 and M-2 Zoning Districts]** **Supervisors Maxwell, Peskin, McGoldrick, Dufty**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 4, 2008 election entitled "Ordinance amending Planning Code Section 226 to require that steam or fossil-fueled power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings, making

environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1".
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080868 [San Francisco Transportation Authority] **Mayor**

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 4, 2008 election entitled "Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 1404 to change the composition of the San Francisco Transportation Authority, and to declare it City policy that the Authority: maximize efficiency by having staff functions for the Transportation Authority performed, to the extent practicable, by agencies and departments of the City and County; maximize fiscal accountability by obtaining expert financial review before adoption of Authority budgets; and, maximize public accountability by adopting the ethics and public records laws that apply to the City and County".
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080869 [Policy regarding budget set-asides] **Mayor**

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the

voters at the November 4, 2008 election entitled "Ordinance amending the San Francisco Administrative Code by adding Section 3.26, to establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited, and amending the San Francisco Municipal Elections Code by adding Section 521, to require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside". 6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080870 [Community Justice Center] Mayor

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 4, 2008 election entitled "Ordinance amending the San Francisco Administrative Code by adding Chapter 30, Section 30.1, to authorize the creation of the San Francisco Community Justice Center in collaboration with the Superior Court, to address crimes that negatively impact the quality of life of those living and working in the Tenderloin, South of Market, Civic Center, and Union Square neighborhoods. The Center is authorized to use proven tools to encourage misdemeanor and nonviolent felony offenders to get judicial adjudication and social services in one

location with the intent to improve the neighborhood. Following extensive review and community input, this ordinance authorizes the Director of Property to enter into a lease, sublease or other property-related agreement to house the City services provided in connection with the Center, authorizes various tenant improvements, appropriates funding for the Center for fiscal year 2008-2009, and authorizes additional actions consistent with this ordinance".
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080871 [Payroll Expense Tax] **Mayor**

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 4, 2008 election entitled "Ordinance amending the San Francisco Business and Tax Regulations Code by amending: (1) Section 903.1 to reduce the Payroll Expense Tax rate from 1.5% to 1.0% for businesses whose taxable payroll expense exceeds $250,000 but is less than or equal to $400,000; and (2) Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is $250,000 or less".
(Economic Impact)
6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

080877 [Transfer of Function of

Departments]

Hearing on notice of Transfer of Function of Departments pursuant to Charter Section 4.132. (Clerk of the Board)

6/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Charter Amendment

080648 [San Francisco Clean Energy Act] **Supervisor Mirkarimi**

Charter Amendment (First Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107 to address the need to change electricity production, delivery, and use to ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments and to require the Public Utilities Commission to comprehensively study and determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008.

6/17/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute Charter Amendment bearing new title.

6/17/08, ASSIGNED to Rules Committee.

Motions

080821 **[Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]** **Supervisor Daly**

Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

6/17/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

6/17/08, SUBSTITUTED. Supervisor Daly submitted a substitute motion bearing new title.

080885 **[Appointment, Board of Appeals - Rafael Mandleman]** **Supervisor Peskin**

Motion approving Board of Supervisors President Peskin's appointment of Rafael Mandleman to the Board of Appeals for the unexpired balance of the term ending July 1, 2010.

6/17/08, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Alioto-Pier
To: Director, Public Utilities Commission
Requesting/Inquiring: Has the Public Utilities Commission begun researching potential buyers for the PUC? If not, why? And if so, what are the prospects?
From: Supervisor Alioto-Pier
To: City Attorney
To: Director, Public Utilities Commission
To: Controller
Requesting/Inquiring:
1) Has the PUC or the City given money to PG&E in the last month for work related to siting the Peakers?
2) If so, how much money was given and who gave the authorization?
3) Was this approved by the PUC or was it a line item in the budget?
4) What legal recourse do we have to get that money back?
5) What are we paying to store the CT's in Texas?
6) Have we paid to have the CT's retrofit to accommodate natural gas, and if so, how much?
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:
333 Haight
295 Buchanan, the windows on the Haight Street side
299 Webster
357 Fillmore
469 Fillmore
501 Fillmore

557 Fillmore
55 Laguna, the UC complex and the Haight Street side
745 Fillmore
H&W Market at Hayes and Webster
667 Fillmore
590 Steiner
211 Steiner
237 Steiner
255 Steiner
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:
Phone Switch Boxes:
Southwest corner of Post and Webster
Northeast corner of Oak and Buchanan
Northwest corner of McAllister and Webster
East side, mid-block of Buchanan and Linden
From: Supervisor Mirkarimi
To: Director,

In Memoriams

Bob Blanchard - Supervisor Ammiano

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:58 p.m.

Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on July 22, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to

coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations,

please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by

mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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June 24, 2008

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MEETING MINUTES

Tuesday, June 24, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of May 13, 2008 and a Special Board of Supervisors Meeting of the Budget and Finance Committee of May 14, 2008. The motion carried by the

following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Rules Committee

080628 [Settlement of Lawsuit - CCSF v. Competent Builders, Inc. - $510,000]
Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v. Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148) in the amount of $510,000 paid to San Francisco by Competent Builders, Inc., and its subcontractors. (City Attorney)

Enacted Number: 108-08
FINALLY PASSED

080629 [Settlement of Lawsuit - Tamara Josi - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San

Francisco for $75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 109-08
FINALLY PASSED

080527 **[Requiring Assessor to report reductions of real property assessments]** **Supervisors Sandoval, Peskin, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.

Enacted Number: 110-08
FINALLY PASSED

080529 **[Requiring Activation of Closed Captions on Television Receivers]** **Supervisors Alioto-Pier, Dufty, Ammiano**

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

Enacted 111-08
Number:
FINALLY PASSED

080713 [Appointment - Graffiti Advisory Board, Rebecca Delgado Rottman]

Motion appointing Rebecca Delgado Rottman, term ending April 10, 2009, to the Graffiti Advisory Board.

Rebecca Delgado Rottman, succeeding Deborah Mansfield, resigned, seat 16, must represent private schools or art schools who operate in San Francisco, for unexpired portion of a two-year term ending April 10, 2009.

Enacted M08-106
Number:
APPROVED

080714 [Appointment - S. F. Health Authority, Randy L. Wittorp]

Motion appointing Randy L. Wittorp, term ending January 15, 2011, to the San Francisco Health Authority.

Randy L. Wittorp, succeeding Nathan Nayman, term expired, seat 2, must be nominee of Hospital Council of Northern California, for three-year term ending January 15, 2011.

Enacted M08-105
Number:

APPROVED

080717 [Appointment - Food Security Task Force, Diana Jensen]

Motion appointing Diana Jensen, term ending March 15, 2009, to the Food Security Task Force; residency requirement waived.

Diana Jensen, seat 5, must be from the Department of Aging and Adult Services of the Human Services Agency, for term ending March 15, 2009.

Enacted Number: M08-107

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

Recommendation of the Land Use and Economic Development Committee

080095 [Requirements for off-street parking and loading] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 150 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 151 to reduce the required number of parking spaces for housing for seniors and physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities; amending Section 154 to revise the minimum dimensions for off-street parking spaces, to encourage space-efficient parking and to no longer require independently accessible parking and define independently accessible parking to include parking accessed by automated garages or car elevators and valet parking; amending Section 155 to delete a requirement for independently accessible parking and require parking design to prevent bicycle and transit lane conflicts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 167 to provide for optional parking in all new residential buildings or conversions to residential buildings of 10 units or more; amending Section 204.5 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 790.10 to include a car-share parking space as part of a

community residential parking use; amending Section 890.7 to include a car-share parking space as part of a community residential automobile parking lot use; amending Section 890.8 to include a car-share parking space as part of a community residential automobile parking garage use; and adopting findings.

Enacted Number: 112-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

080723 **[Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated

receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted Number: 114-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080724 **[Interim Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the

compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted Number: 115-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

080350 [Enterprise Zone Tax Credit Law] **Mayor**

Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; to delete an outdated reference to the Private Industry Council and to establish a sunset date.
(Economic Impact.)

Enacted Number: 113-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080779 [Closure of the Potrero Power Plant] **Supervisors Maxwell, Dufty, McGoldrick, Peskin, Sandoval, Mirkarimi**

Resolution urging the Public Utilities Commission and the City Attorney to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant; and establishing minimum criteria for any in-City generation projects to close the Potrero Power Plant.

Supervisor Daly moved to divide the question.
Motion to adopt the question relating to transmission issues was adopted by the following:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1- Maxwell
Supervisor Alioto-Pier moved to further divide the question relating to the Trans Bay Cable (5th Whereas Clause):
Motion to adopt the question relating to the Trans Bay Cable:
Ayes: 8 - Ammiano, Chu, Dufty, Elsbernd,

McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Maxwell
The question relating to the minimum criteria for city generated projects was referred to Committee.

Supervisor Daly moved that this Resolution be DIVIDED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Maxwell

Resolution urging the Public Utilities Commission and the City Attorney to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant.

ADOPTED AS DIVIDED by the following vote:

Ayes: 8 - Ammiano, Chu, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Maxwell

From the Rules Committee Without Recommendation

080619 **[Providing for appointment rather than election of the City Treasurer]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100,

13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

Continued to July 8, 2008

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

Continued to July 8, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

080735 **[Disbursements from Budget Savings Incentive Fund FY 08-09]** **Mayor**

Resolution approving disbursements from the Budget Savings Incentive Fund.
(Fiscal Impact.) (Supervisor Daly dissented in committee.)

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

080277 **[Administrative Code Chapter 6 - technical amendments and amendments to contracting procedures]** **Supervisor Chu**

Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in Subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise Subsection 6.22(J) concerning retention of progressive payments, to clarify and revise Subsection 6.23(C) concerning the rejection or failure of bids, to revise Section 6.61 concerning design-build contracting procedures, and to add a new Section 6.28 authorizing the use of integrated project delivery.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080697 **[Unrepresented Employees]** **Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of

employment and, methods of payment, effective July 1, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080582 [Approval of Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project, for a contract term of two years and an amount not-to-exceed $22,080,000]

Resolution approving the Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project. (Municipal Transportation Agency) (Fiscal Impact.)

Enacted Number: 289-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080581 [Approval of Sixth Amendment to Agreement with Serco Inc. for parking meter collection and

management services, to extend the term by two years and increase the contract amount by $10,000,000]

Resolution approving the Sixth Amendment to the Agreement between Serco Management Systems, Inc. and the City and County of San Francisco, through the San Francisco Municipal Transportation Agency. (Municipal Transportation Agency) (Fiscal Impact.)

Enacted Number: 288-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080689 **[Presidio and City and County of San Francisco Transportation Work Group]** Supervisor Alioto-Pier

Resolution establishing the Presidio and City and County of San Francisco Transportation Work Group.

Enacted Number: 291-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules

Committee

080613 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed]** **Mayor, Supervisor Alioto-Pier**

Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080614 **[Extending the Expiration date of the MBE/WBE/LBE Ordinance]** **Mayor, Supervisor Alioto-Pier**

Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and

County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080699 [Appointment, Planning Commission - Gwyneth Borden] Mayor

Motion approving the Mayor's appointment of Gwyneth Borden to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080700.

Transmittal date - May 19, 2008.)

Enacted Number: M08-104

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080643 **[City Elections In Even-Numbered Years]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 8, 2008

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

Continued to July 29, 2008 at a Special Order at 3:30 pm.

Motion to waive Board Rule 4.29 was approved without objection.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 29, 2008 at a Special Order at 3:30 pm.
Motion to waive Board Rule 4.29 was approved without objection.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED.
The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 29, 2008 at a Special Order at 3:30 pm.
Motion to waive Board Rule 4.29 was approved without objection.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED.
The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 29, 2008 at a Special Order at 3:30 pm.

Motion to waive Board Rule 4.29 was approved without objection.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080662 **[Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]** **Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of $55.00

to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of $45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080766 **[De-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating $2,500,000 to the General Fund for Fiscal Year 2007-2008]** **Mayor**

Ordinance de-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating $2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.

Continued to July 15, 2008

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080767 [Redevelopment Agency Budget] Mayor

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-08 by increasing the Agency's tax increment receipts for Affordable Housing activities and authorizing expenditure in an amount not to exceed $22,401,050 by authorizing a cooperation agreement with the City and County of San Francisco, and authorizing the Agency to increase its annual statement of indebtedness by a like amount not to exceed $22,401,050, all Redevelopment Project Areas.
(Fiscal Impact.)

Enacted Number: 290-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080885 [Appointment, Board of Appeals - Rafael Mandleman] Supervisor Peskin

Motion approving Board of Supervisors President Peskin's appointment of Rafael Mandleman to the Board of Appeals for the unexpired balance of the term ending July 1, 2010.

Enacted Number: M08-108

APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared with the Board members SF memorablia
Richard McGeary; expressed concern with issues relating to his patent for the Sigmund Stern Grove
Eugene Gordon; expressed concern with issues relating to the violation of human rights
Peter Warfield; expressed concern with issues relating to the SF Library fines for lost or damaged books under the link plus books program
John di Donna; expressed concern with issues relating to violence in our youth and ending the war
Erin; expressed concern with issues relating to public safety and affordable housing and toxic environment in the Bay View Hunters Point Area
Sydney; expressed concern with issues relating to public safety and affordable housing and toxic environment in the Bay View Hunters Point Area
Male speaker; expressed concern with issues relating to the Lennar construction in the Bayview Hunters Point community
Adele; expressed concern with issues relating to the Lennar construction in the Bayview Hunters Point community
Cecil Mills; expressed concern with issues relating to Mars
Francisco da Costa; expressed concern with issues relating to the Lennar construction in the Bayview Hunters Point community
Male speaker; expressed concern with issues relating to the Lennar construction in the Bayview Hunters

Point community

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080898 **[Commending Dennis Richmond on his 40 year career at KTVU]** **Supervisor Dufty**

Resolution commending Dennis Richmond on his 40 year career at KTVU.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 297-08
ADOPTED

080899 **[Congratulating the opening of the Contemporary Jewish Museum on June 8, 2008]** **Supervisors Dufty, Peskin**

Resolution congratulating the opening of the Contemporary Jewish Museum in the City and County of San Francisco on June 8, 2008.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 296-08

ADOPTED

080900 **[Commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival]** **Supervisors Dufty, Ammiano**

Resolution commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival.

Enacted Number: 294-08
ADOPTED

080901 **[Grant to fund a study through the HIV Prevention Section, Department of Public Health - $10,566]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $10,566 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole to Reduce Methamphetamine Use among MSM with HIV," for the period of September 28, 2007 through July 31, 2008.

Enacted Number: 293-08

ADOPTED

080902 **[Grant to fund a study through the HIV Prevention Section, Department of Public Health - $12,680]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $12,680 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM," for the period of August 1, 2007 through July 31, 2008.

Enacted Number: 292-08
ADOPTED

080903 **[In support of Senate Bill 1420 - Nutritional Information on Menus and Menu Boards]** **Supervisor Ammiano**

Resolution supporting Senate Bill 1420-Nutritional Information on Menus and Menu Boards.

Enacted Number: 298-08
ADOPTED

080636 **[Final Map - 766 Harrison Street]**

Motion approving Final Map 4566, a 98 Residential Unit and 5 Commercial Unit Mixed-Use Condominium Project, located at 766 Harrison Street being a subdivision of Lot 153 in Assessors Block No. 3751 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,548; District 6.)

Enacted M08-99
Number:
APPROVED

080721 [Final Map - 1115 - 1125 Noe Street]

Motion approving Final Map 3598, a 6 Unit Residential Condominium Project, located at 1115 - 1125 Noe Street being a subdivision of Lot 024A in Assessors Block No. 6508 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,571; District 8.)

Enacted M08-100
Number:
APPROVED

080790 [Final Map - 1 Polk Street]

Motion approving Final Map 4587, a 179 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 1 Polk Street being a subdivision of Lot 022 in Assessors Block No. 0814 and adopting

findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,581; District 6.)

Enacted M08-101
Number:
APPROVED

080795 [Final Map - Planned Development - Mission Bay]

Motion approving Final Map No. 4375 Planned Development Mission Bay, a ten (10) lot subdivision, being a Merger and Resubdivision of Lot A, Lot 6, Lot 9 and Lot 10 as shown on that certain final entitled "FINAL MAP PLANNED DEVELOPMENT MISSION BAY" filed for record on January 25, 2001 in Book Z of Maps, at Pages 154-162, Records of the City and County of San Francisco; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)
(DPW Order 177,602.)

Enacted M08-102
Number:
APPROVED

080841 [Final Map - 300 Berry Street]

Motion approving Final Map 4007, a one-lot

subdivision for condominium purposes, being a 270-unit mixed-use condominium project of Lot 6 in Assessors Block No. 8704, located at 300 Berry Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,597; District 6.)

Enacted M08-103
Number:
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071009 [Construction Dust Control] **Supervisors Maxwell, Peskin, Ammiano, Dufty, Mirkarimi**

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

7/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/9/2007.

7/18/07, REFERRED TO DEPARTMENT. Referred to City Attorney to be approved as to form.

8/7/07, ASSIGNED to Land Use and Economic Development Committee.

8/7/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

8/13/07, REFERRED TO DEPARTMENT. Building Inspection Commission, Planning Department and Department of Public Health for review and comment.

8/21/07, RESPONSE RECEIVED. Planning Department, categorically exempt from environmental review.

12/28/07, RESPONSE RECEIVED. Building Inspection Commission voted not to support this ordinance.

2/27/08, RESPONSE RECEIVED. Health Commission Resolution No. 05-08 with recommendation supporting the dust control ordinance.

6/24/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

6/24/08, ASSIGNED to Land Use and Economic Development Committee. 6/27/08, 7/4/08 Publication of fee ad.

080844 [Prohibiting New Overhead Utility Facilities] **Supervisor Dufty**

Ordinance amending Sections 913 and 914 of the San Francisco Public Works Code to prohibit the installation of new surface and overhead utility facilities on any City streets where there are no existing overhead utility facilities; and further amending Section 914 to establish exemptions to this requirement.

6/24/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080846 **[Limit on non-profit executive director salaries funded by City grants or contracts]** **Supervisor McGoldrick**

Ordinance limiting the use of City funds for non-profit executive director salaries.

6/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080847 **[Requiring recyclable/compostable bags for newspapers and handbills]** **Supervisors Mirkarimi, Peskin**

Ordinance amending Article 5.7 of the San Francisco Public Works Code by adding Section 184.77, to require any person who distributes newspapers or handbills that are packaged in bags or other wrapping to or upon private property to use only recyclable or compostable materials for such packaging and to impose penalties; and making environmental findings.

6/24/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 7/24/2008.

080849 **[PG&E SmartMeter Upgrade Proposal]** **Supervisors Peskin, Dufty, Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval**

Draft ordinance establishing a temporary moratorium on the installation of "Smart Meter" equipment and requiring a joint Department of the Environment and San Francisco Public Utilities Commission review of proposed "Smart Meter" technology.
6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080850 **[Zoning - 901 Bush Street Special Use District]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
6/24/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080883 **[Zoning - Creating the New Mission-Harrington Special Use District]** **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the

Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Special Use District Map SU11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
6/24/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/24/2008.

Resolutions

080910 **[State grant to support environmental health pest exclusion activities - $47,694.36]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.
6/24/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080911 **[Grant to support HIV research study - $31,724]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $31,724 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2008 through January 31, 2009.

6/24/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080912 **[Urging a Federal Employment Non-Discrimination Act that includes gender identity protections]** **Supervisors Dufty, Ammiano, Daly, Mirkarimi**

Resolution urging a Federal Employment Non-Discrimination Act that includes gender identity protections.

6/24/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080914 **[Resolution to establish the Broadway Entertainment Corridor Community Benefit** **Supervisor Peskin**

District]

Resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

6/24/08, ASSIGNED to Board of Supervisors. Scheduled for July 29, 2008 at 3:00 p.m. 6/14/08 & 6/21/08 - Published notification for public hearing. 7/11/08 - Sent Notice of Receipt of Petition Formation (3 languages)

080915 **[Assessment Ballots for City Parcels, for proposed Yerba Buena Community Benefit District]** **Mayor**

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of nine parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Yerba Buena Community Benefit District.

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080917 **[Resolution to establish the** **Mayor**

Yerba Buena Community Benefit District]

Resolution establishing a property-based business improvement district to be known as the "Yerba Buena Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

6/24/08, RECEIVED AND ASSIGNED to Board of Supervisors. Scheduled for July 29, 2008 at 3:00 p.m. 6/14/08 & 6/21/08 - Published notification for public hearing. 7/11/08 - Sent Notice of Receipt of Petition Formation (3 languages)

Requests for Hearing

080842 **[Funding the Guarantee Pool for the Local Business Enterprise Bonding and Financing Assistance Program]** **Supervisor Maxwell**

Hearing on the status and future plans for agency coordination and funding the Guarantee Pool of the Local Business Enterprise Bonding and Financing Assistance Program.

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080843 **[City's external auditors Comprehensive Annual Financial Report related to the City audit for Fiscal Year 2006-2007 and audit plans for Fiscal Year 2007-2008]** **Supervisor Peskin**

Hearing for the City's external auditors (Macias Gini & O'Connell, KPMG, Hood and Strong, and Williams Adley & Co.) to present the Comprehensive Annual Financial Report (CAFR), Single Audit, and their Management Letters, if any, related to the City audit for Fiscal Year 2006-2007. They will also present their audit plans for Fiscal Year 2007-2008. This hearing is required under Charter Section 9.117. 6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES

080856 **[Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]**

Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and

findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance. (Public Works Department)
6/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080857 [Mission Bay South-Acceptance of Land and Improvements for the 7th and16th Street Intersection]
Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance. (Public Works Department)
6/11/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

080854 **[Amendment to Contract with Geomatrix Consultants, Inc.]**

Resolution approving an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2009, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,439,000 for environmental consulting services. (Treasure Island Development Authority) 6/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

Requests Granted
From: Supervisor Chu
To: Director, Public Utilities Commission
Requesting/Inquiring: Requesting that the PUC report on the status of replacing broken light bulbs on two street lights located on 37th Avenue (West side of 37th Ave) between Noriega and Moraga. Also requesting that the PUC examine why there is only one street light on the entire block of 37th Avenue between Noriega and Moraga on the east side of the street and inform us of the possibility of installing at least one more street light on that block.
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
Southeast corner of Page and Divisadero
Trash Cans
Fulton and Pierce
Bus Shelters
Eastside of Oak and Stanyan
Fire Alarm Box
Northeast of Page and Steiner
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:
333 Haight
295 Buchanan, the windows on the Haight Street side
299 Webster
501 Fillmore
1591 Page
2400 Fulton
710 Fillmore
661 Divisadero
Divisadero Theatre, on Divisadero between Hayes and Grove
799 Haight
782 Haight
681 Haight
546 Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing

graffiti from the following locations:
Phone Switch Boxes
Southeast corner of Fillmore and Oak
Northwest corner of Hermann and Fillmore

In Memoriams

Anthony Sacco - Entire Board
Anthony, Michael, and Matthew Bologna - Supervisors Sandoval & Daly
Cecilia Marie Muschi Dawydiak - Supervisor Alioto-Pier
Harry Aleo - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:07 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on July 29, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on

measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards,

councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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July 8, 2008

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MEETING MINUTES

Tuesday, July 8, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Tom Ammiano.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano and McGoldrick were noted absent.
There was a quorum present.
Supervisors Alioto-Pier and McGoldrick were noted present at 2:04 p.m.
Supervisor Ammiano was excused from attending today's meeting.

Supervisor Ammiano Excused From Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of May 20, 2008 and June 3, 2008. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080662	**[Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]**	**Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of $55.00 to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of $45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation.

Enacted Number: 121-08

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

080277 **[Administrative Code Chapter 6 - technical amendments and amendments to contracting procedures]** **Supervisor Chu**

Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in Subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise Subsection 6.22(J) concerning retention of progressive payments, to clarify and revise Subsection 6.23(C) concerning the rejection or failure of bids, to revise Section 6.61 concerning design-build contracting procedures, and to add a new Section 6.28 authorizing the use of integrated project delivery.

Enacted Number: 119-08
FINALLY PASSED

080697 **[Unrepresented Employees]** **Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2008.

Enacted Number: 120-08
FINALLY PASSED

Recommendation of the Rules Committee

080613 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted** **Mayor, Supervisor Alioto-Pier**

Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and

County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Enacted Number: 116-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

080614 **[Extending the Expiration date of the MBE/WBE/LBE Ordinance]** **Mayor, Supervisor Alioto-Pier**

Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Enacted Number: 117-08

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor McGoldrick, seconded by Supervisor Dufty, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.

080643 [City Elections In Even-Numbered Years] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Rules Committee Without Recommendation

080619 **[Providing for appointment rather than election of the City Treasurer]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending

Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080718 [Approval of FY08-09 Expenditure Plan for the Human Services Care Fund]

Resolution approving the FY08-09 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

Enacted Number: 304-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080768 **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]** **Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); absentee voter ballot distribution (Department of Elections); security services (Human Services Agency); shelter and intake for status offenders (Juvenile Probation); Project S.A.F.E. (Police); jail food services (Sheriff); and mainframe system support (Telecommunications and Information Services).

Enacted Number: 301-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080736 **[Planning Code- Modifying the fee refund provisions for inclusionary housing projects]** **Mayor**

Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080828 **[Public Education Enrichment Fund - First Five Commission]** **Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

Continued to July 22, 2008

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080719 **[Building Code - fee adjustment]**

Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080653 **[Accept-Expend Ryan White HIV/AIDS Treatment Modernization Act Grant - $4,758,228]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a one-time funding award of Ryan White Part A (RWPA) funds for the San Francisco Eligible Metropolitan Area (SF EMA) in the amount of $4,758,228 from the Health Resources and Services Administration (HRSA) to support HIV Health Services; for the period of July 1, 2007 through February 29, 2008.

Enacted Number: 302-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080674 [IHSS Contract Approval - $51,433,291]

Resolution to amend Resolution # 644-05 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of $51,433,291. (Human Services Department) (Fiscal Impact.)

Enacted Number: 300-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]

Mayor

Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics] **Mayor**

Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

Contiuned to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

080829 **[Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]** **Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-2009.

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080522 **[Authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission]** **Supervisor Mirkarimi**

Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the

San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

Enacted Number: M08-111

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080728 [Redevelopment Agency Budget 2008-2009] Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009. (Fiscal Impact.)

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080730 [Treasure Island Development Authority Budget 2008-2009] Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.

(Fiscal Impact.)

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendation of the Land Use and Economic Development Committee

080660 [Zoning - Urgency Ordinance Extending An Interim Zoning Moratorium On Enterprises That Sell Tobacco Paraphernalia] **Supervisor Sandoval**

Urgency Ordinance extending an interim zoning moratorium for six (6) months, to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell Tobacco Paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 118-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Rules Committee

080782 [Appointment, Commission of Animal Control and Welfare - Laurie Kennedy-Routhie]

Motion appointing Laurie Kennedy-Routhie, term ending April 30, 2010 to the Commission of Animal Control and Welfare.

Laurie Kennedy-Routhie succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

Enacted Number: M08-110

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080852 [Appointment, Police Commission - David Onek]

Motion confirming the Mayor's nomination of, and appointing, David Onek to the San Francisco Police

Commission for the unexpired portion of a four-year term ending April 30, 2012. (Mayor)
(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 12, 2008.)

Enacted Number: M08-109

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080638 **[Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]** **Supervisors Alioto-Pier, Ammiano, Dufty, Chu, Elsbernd, Sandoval**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make

recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate;and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.
(Supervisor Daly dissented in committee.)

Continued to July 15, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; **Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to

appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

Continued to July 15, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080642 [Number of signatures required to qualify a recall petition] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.

Continued to July 15, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080645 **[Prohibition on City employees serving as members of Charter boards and commissions]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

Continued to July 15, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Rules Committee Without Recommendation

080851 **[Appointment of the City Treasurer; City Elections in Even-numbered Years]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by

(1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

Continued to July 15, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recess
The Board recessed at the hour of 3:10 p.m.
Reconvening of the Board
The Board, at the hour of 3:35 p.m., reconvened.
Calling the Roll
On call of the roll, the following Supervisors were noted present:Supervisors Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval -

9
Quorum present.
Noted Absent:Supervisor McGoldrick - 1
Supervisor Ammiano was previously excused from today's meeting.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Chu introduced, welcomed and presented a Certificate of Honor to Sergeant Bohanan in recognition of his work in the Ambassador program in the San Francisco Police Department.
Captain Chignell and Past President of the local merchants spoke in recognition of Sergeant Bohanan's efforts.
Supervisor Peskin introduced, welcomed and presented a Cerificate of Honor to John Avalos in

recognition of his service as a Legislative Aide.
Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Mary O'Reardon in recognition of her retirement.
Chief Joanne Hayes White, Chief of the San Francisco Fire Department, acknowledged Mary O'Reardon's service and her retirement.

SPECIAL ORDER 4:00 P.M.

080513 [Hearing - Street Vacation Order of Hunters Point Shipyard]

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1"and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance.

The President inquired as to whether any member of

the public wished to address the Board members. There were none.
The President declared the public hearing closed.
FILED.

From the Land Use and Economic Development Committee Without Recommendation

080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1"and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly
Excused: 1 - Ammiano

COMMITTEE REPORTS

080566 **[Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative**

Supervisors Peskin, Dufty, Alioto-Pier

Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed $1,700,000 from the City and an additional $1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code. (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Chu Excused From Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor Chu from voting on File Nos. 080800 and 080801 due to possible conflict of interest. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Chu

080800 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]** **Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Continued to July 22, 2008

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Chu

080801 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]** **Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Continued to July 22, 2008

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Chu

080802 **[MOU, Amendment No. 2 - Service Employees International Union, Local 1021]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a

co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080803 **[MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080804 **[MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080805 **[MOU, Amendment No. 1 - Municipal Attorneys' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080806 **[MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080807 **[MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the

parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080808 [MOU, Amendment No. 1 - Teamsters, Local 350] — **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)] — **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding

between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080810 **[MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

080811 **[MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080812 **[MOU, Amendment No. 2 - Municipal Executives' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June

30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080813 **[MOU, Municipal Executives' Association - Fire]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

080814 **[MOU, Municipal Executives' Association - Police]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the

amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared in song certain SF memorabilia
Male speaker; expressed concern with saving the Harding Theatre
Lionel Sanford; expressed concern with the City and County budget process
Douglas Yep; showed interest with issues relating to whistle blowers
Male speaker; expressed concern with issues relating to federal government and terrorism
John Di Donna; expressed concern with issues relating to Alcatraz
Francisco da Costa; expressed concern with issues relating to the Redevelopment Agency
John Calderra; request to receive socks for veterans operation single sock
Peter Warfield; expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with issues relating the SF Police Department

Cecil Mills; expressed concern with issues relating to the environment and the need to use water based fuel
Jose Morales; expressed concern with issues relating to senior housing and evictions
Beverly Upton; expressed appreciation for the funding of domestic violence programs

Supervisors Daly, McGoldrick and Sandoval were noted absent at 3:09 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080911 **[Grant to support HIV research study - $31,724]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $31,724 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2008 through January 31, 2009.

Enacted Number: 305-08

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 3 - Daly, McGoldrick, Sandoval

Excused: 1 - Ammiano

080912 **[Urging a Federal Employment Non-Discrimination Act that includes gender identity protections]** **Supervisors Dufty, Ammiano, Daly, Mirkarimi**

Resolution urging a Federal Employment Non-Discrimination Act that includes gender identity protections.

Supervisors Daly and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 306-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 3 - Daly, McGoldrick, Sandoval

Excused: 1 - Ammiano

Severed From the Without Reference to

Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

080910 **[State grant to support environmental health pest exclusion activities - $47,694.36]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.

REFERRED to the City Operations and Neighborhood Services Committee

Ordinances

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

080849 **[PG&E SmartMeter Upgrade Proposal]** **Supervisors Peskin, Dufty,**

Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval

Ordinance directing the Department of the Environment to conduct a Cost and Climate Review of PG&E's request to the California Public Utilities Commission to spend $877 million on a SmartMeter upgrade program; and directing the City Attorney, in consultation with the Department of the Environment and Public Utilities Commission, to participate in the CPUC review of PG&E's request; and establishing the City's policy to oppose PG&E's request if the Cost and Climate Review concludes that PG&E's SmartMeter upgrade proposal is not cost effective or that alternative technologies that offer greater benefits should be investigated. (Fiscal Impact.)

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

7/8/08, ASSIGNED to Government Audit and Oversight Committee.

7/8/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

080934 **[Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments]** **Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.
7/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/7/2008.

080947 **[Changing the official sidewalk width - Jessie Street east of 10th Street]** **Supervisor Daly**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1579 to change the official sidewalk width on Jessie Street east of 10th Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving public sidewalk easements along the southerly side of Jessie Street.

7/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080952 **[City Hall Rental Rate Change]** **Supervisor Peskin**

Ordinance making environmental findings and amending Administrative Code Section 4.1-2 to increase the maximum City Hall Building rental fee to $40,000.

(Fiscal Impact.)

7/8/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 8/7/2008.

080954 **[Planning Code-Amending Article 11 Designation of 690 Market Street]** **Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated-Category V" to "Significant-Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080956 **[Seismic strengthening of soft-story, wood-frame buildings]** **Mayor, Supervisors Alioto-Pier, Chu**

Ordinance finding a compelling public policy basis for expediting the processing and review of permits for seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1.
(Fiscal Impact.)
7/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

080935 [Urging SFUSD to reconsider current school assignment system] **Supervisor Chu**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and incorporate geographic considerations for school placement.
7/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080948 [Amendment to Real Property Ownership Agreement] **Supervisor Elsbernd**

Resolution approving an amendment to the Real Property Ownership Agreement between the Peninsula Corridor Joint Powers Board, San Mateo County Transit District, the City and County of San Francisco and the Santa Clara Valley Transportation Authority to fully resolve all outstanding financial issues related to repayment of SamTrans for its additional contribution for the acquisition of the Caltrain right-of-way, and to designate SamTrans as the managing agency of the Joint Powers Board. (Fiscal Impact.)
7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080949 **[Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program]** **Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement for the Laguna Honda Hospital Replacement Program from $9,995,383 to $14,784,481.
(Fiscal Impact.)
7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080950 **[Approval of Amendment to Design Agreement for the** **Supervisor Elsbernd**

Laguna Honda Hospital Replacement Program]

Resolution authorizing the Director of Public Works to execute amendment to a design agreement for the Laguna Honda Hospital Replacement Program from $39,155,175 to $44,633,529.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080951 **[Approving Tefra Hearing for The Institute on Aging Project]** **Supervisor McGoldrick**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $50,000,000 to finance the construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by The Institute on Aging.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080953 **[Approval of an historical property contract for 690 Market Street ("Chronicle Building")]** **Supervisor Peskin**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical

property contract between RC Chronicle Building LP and 690 Market Master Association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.
(Fiscal Impact.)
7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080955 **[2007-2010 Children's Services Allocation Plan]** **Mayor**

Resolution approving an amendment to the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.
7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080958 **[Commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award]** **Supervisor Dufty**

Resolution commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080959 **[Commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award]** **Supervisor Dufty**

Resolution commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080960 **[Commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award]** **Supervisor Dufty**

Resolution commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080961 **[Commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award]** **Supervisor Dufty**

Resolution commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080962 **[Accept and Expend State Grant - $47,773]** **Supervisor Dufty**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds in the amount of $47,773.00 from the California Department of Food and Agriculture to eliminate a major infestation of invasive weeds in the Twin Peaks Natural Area of San Francisco.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080963 **[Grant to support a drug research study - $63,210]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $63,210 from the Public Health Foundation Enterprises (PHFE) to support the study entitled "Mirtazapine to reduce methamphetamine use among MSM with high-risk HIV behaviors project;" for the period of June 1, 2008 through May 31, 2009.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080964 **[Declaration of Election Results]** **Supervisor Peskin**

Resolution declaring the results of the June 3, 2008 Consolidated Statewide Direct Primary Election.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080965 **[40 day extension for Planning Commission review - Planning Code Enforcement Fund]** **Supervisor Peskin**

Resolution extending by 40 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 10.100-166 of the Administrative Code and Section 303(l) to update enforcement provisions of the Planning Code, including fees, and making environmental findings, General Plan findings, and other required findings.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080966 **[Approving Tefra Hearing for On Lok Community Housing Project]** **Supervisor Peskin**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal

amount not to exceed $30,000,000 to finance and refinance the acquisition, construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by On Lok Senior Health Services and On Lok Community Housing, Inc.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080967 **[Commending Maurice Mabutas on the occasion of his 102nd birthday]** **Supervisor Sandoval**

Resolution commending Maurice Mabutas on the occasion of his 102nd birthday.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080968 **[60 day extension for Planning Commission review - The Metro Theatre]** **Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080969 **[Creation of transgender health benefits for CalPers]** **Supervisors Ammiano, Daly**

Resolution endorsing the creation of transgender health benefits for CalPers.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080970 **[Burma Day - August 8, 2008]** **Supervisor Ammiano**

Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080924 **[2007-2008 Civil Grand Jury Report - Fits and Starts]**

Hearing on the recently published 2007-2008 Civil Grand Jury report regarding Fits and Starts: The

Response of San Francisco Government to Past Civil Grand Jury Recommendations. (Clerk of the Board)
6/23/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080925 **[2007-2008 Civil Grand Jury Report - Accountability in San Francisco Government]**
Hearing on the recently published 2007-2008 Civil Grand Jury report regarding Accountability in San Francisco Government. (Clerk of the Board)
6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080926 **[2007-2008 Civil Grand Jury Report - San Francisco Kindergarten Admissions]**
Hearing on the recently published 2007-2008 Civil Grand Jury report regarding San Francisco Kindergarten Admissions: Back to the Drawing Board. (Clerk of the Board)
6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080931 **[2007-2008 Civil Grand Jury Report - A Year of Five Elections for the City and County of San Francisco]**
Hearing on the recently published 2007-2008 Civil Grand Jury report regarding A Year of Five Elections

for the City and County of San Francisco. (Clerk of the Board)
7/1/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080932 **[Debt level of the City and County of San Francisco]** **Supervisor Chu**

Hearing regarding the City's level of debt, including general obligation bonds, revenue bonds, and other overlapping debt such as the parcel tax for the School District. The hearing will also cover projected debt which may be incurred if bond measures currently pending submission to and passage by San Francisco voters.
7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080933 **[SFPUC Water System Improvement Program, Local San Francisco Program]** **Supervisor Chu**

Hearing to review the Local San Francisco Program component of the Water System Improvement Program, with particular attention paid to aging pipes and timelines for replacing them, particularly in light of the July 7th 100-year-old pipe burst on Taraval Street. The breakage created a major disruption along a major neighborhood commercial corridor. The hearing will also cover the PUC's policy for addressing merchant losses as a result of the disruption.

7/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department) (Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

6/24/08, SUBSTITUTED. Public Works Department submitted a substitute ordinance bearing new title.

6/24/08, ASSIGNED to Government Audit and Oversight Committee.

080845 [Changing the official sidewalk width - Golden Gate Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

6/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080896 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and

County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC-06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al; other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896. (City Attorney) 6/20/08, RECEIVED AND ASSIGNED to Rules Committee.

080897 [Settlement of Lawsuit - Schram Construction, Inc. - $722,104.09]

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking $1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of $722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects. (City Attorney)

6/25/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]

Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Seismic Compliance Hospital Replacement Program; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department)
(Fiscal Impact.)
6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

6/24/08, ASSIGNED to Government Audit and Oversight Committee.

6/24/08, SUBSTITUTED. Department of Public Works submitted a substitute resolution bearing new title.

Requests Granted

From: Supervisor Sandoval
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Municipal Transportation Agency study the feasibility of installing a 4-way stop sign at the intersection of Ottawa Avenue and Ellington Avenue.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood Utility Poles
Southeast corner of Waller and Buchanan
Metal Utility Poles
West side of Stanyan and Waller
1756 Waller
Southeast corner of Laussat and Buchanan
Southeast corner of Shrader and Haight
Bus Shelters
Southeast corner of Haight near Divisadero
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing

graffiti from the following private property locations:
546 Haight
146 Webster
799 Haight
1115 Fell
2001 Grove
600 Stanyan
670 Stanyan
1762 Waller
1756 Waller
1734 Waller
583 Haight
1101 Oak
537 Shrader
701 Shrader
759 Shrader
1708 Waller
903 Stanyan
364 Divisadero
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle

Northwest corner of Fillmore and Hayes
Southeast corner of

In Memoriams

Henry Morris - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:34 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on August 12, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by

Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that

Northwest corner of Fillmore and Hayes
Southeast corner of

In Memoriams

Henry Morris - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:34 p.m.
Angela Calvillo, Clerk of the Board
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deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

July 15, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

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PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, July 15, 2008
3:30 PM
Legislative Chamber - Second Floor
Rescheduled Meeting

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July 15, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, July 15, 2008
3:30 PM
Legislative Chamber - Second Floor
Rescheduled Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 4:00 p.m. On the call of the roll all the Supervisors were noted present. There was a quorum.

SPECIAL ORDER 3:30 P.M

080888 [Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]

Hearing of persons interested in or objecting to the

decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080889 **[Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]**

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080890 **[Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]**

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080891 [Findings - 1420 Turk Street and 1535 Eddy Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M

080892 [Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)

(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080893 **[Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1345 Fillmore Street]**

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080894 **[Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1345 Fillmore Street]**

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots

018 and 20 through 67. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080895 [Findings - 1345 Fillmore Street Tentative Final Map]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Continued to July 16, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

080918 **[Public Hearing - Appeal of Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project located in unincorporated San Mateo**

Hearing of persons interested in or objecting to the Planning Commission's June 5, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2003.0655E, through it's Motion No. 17612, for a proposed San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project, located in unincorporated San Mateo County near Polhemus and Crystal Springs Road.
(Appellant: Todd A. Aanenson on behalf of the San Mateo Homeowners Association)
(Filed 6/25/08; companion measure to 080919, 080920, 080921.)

The President inquired as to whether any member of the public wished to address the Board members.
Continued to July 16, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080919 [Affirming certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Continued to July 16, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080920 [Disapproving certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Continued to July 16, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080921 [Preparation of findings to disapprove certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Continued to July 16, 2008

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.28 of the Board of Supervisors' Rules of Order to allow for Public Comment. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

James Chaffee; expressed concern with issues relating to the SF Public Library and other various issues

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:02 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions

taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on August 12, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files

(which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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July 16, 2008

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MEETING MINUTES

Wednesday, July 16, 2008
2:00 PM
Legislative Chamber - Second Floor
Special Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080736 **[Planning Code- Modifying the fee refund provisions for inclusionary housing projects]** **Mayor**

Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 126-08
FINALLY PASSED

080719 **[Building Code - fee adjustment]**

Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)

Enacted Number: 122-08
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080780 **[Accept-expend federal-state pass through grant - $1,277,875]** **Supervisor Mirkarimi**

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $1,277,875 from the United States Department of Labor for workforce development activities.

Enacted Number: 328-08
ADOPTED

080825 **[Apply for state grant up to $1,000,000 - Sheriff's Department project to address the needs of mentally ill offenders in the jails]** **Supervisor Elsbernd**

Resolution authorizing the Sheriff's Department to apply for a 12-month grant in an amount not to exceed $ 1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

Enacted Number: 327-08
ADOPTED

080904 **[Accept-expend federal-state pass through grant, Department of Economic and Workforce** **Supervisor Mirkarimi**

Development - $237,254]

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $237,254 from the United States Department of Labor passed through the California Employment Development Department for workforce development activities.

Enacted Number: 326-08
ADOPTED

080905 **[Accept-expend private grant, Department of Economic and Workforce Development - $100,000]** **Supervisor Mirkarimi**

Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $100,000 from the Evelyn and Walter Haas, Jr. Fund for workforce training.

Enacted Number: 325-08
ADOPTED

Recommendations of the Government Audit and Oversight Committee

080566 **[Approving an agreement with** **Supervisors**

Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative

Peskin, Dufty, Alioto-Pier

Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed $1,700,000 from the City and an additional $1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code. (Fiscal Impact.)

Enacted Number: 125-08

FINALLY PASSED

080802 **[MOU, Amendment No. 2 - Service Employees International Union, Local 1021]**

Mayor, Supervisor Elsbernd

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties'

Agreement through June 30, 2010.

Enacted Number: 127-08
FINALLY PASSED

080803 **[MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

Enacted Number: 128-08
FINALLY PASSED

080804 **[MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending

the terms of the parties' Agreement through June 30, 2010.

Enacted Number: 129-08
FINALLY PASSED

080805 **[MOU, Amendment No. 1 - Municipal Attorneys' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

Enacted Number: 130-08
FINALLY PASSED

080806 **[MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Enacted Number: 131-08
FINALLY PASSED

080807 **[MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.

Enacted Number: 132-08
FINALLY PASSED

080808 **[MOU, Amendment No. 1 - Teamsters, Local 350]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.

Enacted 133-08

Number:
FINALLY PASSED

080809 **[MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.

Enacted 134-08
Number:
FINALLY PASSED

080810 **[MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Enacted 135-08

Number:
FINALLY PASSED

080811 **[MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Enacted Number: 136-08
FINALLY PASSED

080812 **[MOU, Amendment No. 2 - Municipal Executives' Association]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Enacted Number: 137-08
FINALLY PASSED

080813 **[MOU, Municipal Executives' Association - Fire]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

Enacted Number: 138-08
FINALLY PASSED

080814 **[MOU, Municipal Executives' Association - Police]** **Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

Enacted Number: 139-08
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

080734 **[Proposition J Contract/Janitorial Services for 875 Stevenson Street]** **Mayor**

Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

NOT ADOPTED by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick

Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

080762 **[Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]** **Mayor**

Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees. (Supervisors Daly and Mirkarimi dissented in committee.)

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion FAILED by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick

Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

NOT ADOPTED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Elsbernd, McGoldrick

Noes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval

080766 **[De-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating $2,500,000 to the General Fund for Fiscal Year 2007-2008]** **Mayor**

Ordinance de-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating $2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ammiano

Recommendations of the Government Audit and Oversight Committee

080592 **[Appropriating $272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]** **Supervisors Maxwell, Peskin**

Ordinance appropriating $272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco

Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)

Continued to August 12, 2008

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080523 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and

the Priority Policies of Planning Code Section. 101.1. (Supervisor Alioto-Pier dissented in Committee.)

Continued to August 12, 2008

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080577 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental

findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Continued to August 12, 2008

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080524 **[Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein);

authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in Committee.)

Continued to August 12, 2008

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

From the Land Use and Economic Development Committee Without Recommendation

080512 **[Hunters Point Shipyard - Street Vacation Order]**

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1"and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Enacted 124-08
Number:
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Rules Committee

080638 **[Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]** **Supervisors Alioto-Pier, Ammiano, Dufty, Chu, Elsbernd, Sandoval**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate;and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.
(Supervisor Daly dissented in committee.)

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved to continue this matter to July 22, 2008.
Motion to continue this matter failed by the following vote:
Ayes: 5- Daly, Maxwell, Mirkarimi, Peskin, Sandoval
Noes 6 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick
Supervisors Chu, Elsbernd and Sandoval requested to be added as co-sponsors.

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval
Noes: 3 - Daly, Mirkarimi, Peskin

080641 **[Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments;** **Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the

following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

Continued to July 22, 2008 with the Board Sitting as a Committee of the Whole.

CONTINUED AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080642 [Number of signatures required to qualify a recall petition] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.

ORDERED SUBMITTED by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi
Noes: 4 - Chu, Elsbernd, Peskin, Sandoval

080645 [Prohibition on City employees serving as members of Charter boards and commissions] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

ORDERED SUBMITTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Dufty, Maxwell

080643 [City Elections In Even-Numbered Years] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of

Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 22, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

080619 **[Providing for appointment rather than election of the City Treasurer]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

Continued to July 22, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080851 **[Appointment of the City Treasurer; City Elections in** **Supervisor McGoldrick**

Even-numbered Years]

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

Continued to July 22, 2008

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080725 **[Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009]** **Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009.

(Supervisor Daly dissented in committee.) (Fiscal Impact.)

Continued to July 22, 2008

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080726 **[Annual Salary Ordinance, Fiscal Year 2008-2009]** **Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009, continuing, creating or establishing these positions;

enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Supervisor Daly dissented in committee.) (Fiscal Impact.)

Continued to July 22, 2008

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080922 [Redevelopment Agency Bond 2008-2009]

Resolution approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed $202,824,283 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

Continued to July 22, 2008

Supervisor Chu, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano was noted absent at 4:18 p.m.

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

080737 [Planning Department Fee Adjustment] **Mayor, Supervisor Elsbernd**

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.

Amended on page 8, line 18, by replacing "$500.00" with "$300.00" for discretionary appeals."

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED. The motion carried by the following

vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080738 [Environmental review fees, Community fee, and related fees] Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Plans; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080854 **[Amendment to Contract with Geomatrix Consultants, Inc.]**

Resolution approving an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2009, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,439,000 for environmental consulting services. (Treasure Island Development Authority)

Enacted Number: 324-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080793 **[Retroactively appropriating $5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008]** **Mayor**

Ordinance retroactively appropriating $3,544,110 of State Proposition 41 grant revenue, $898,965 of settlement revenue, $124,218 of revenue from candidate filing fees and other general government charges, and $1,044,327 of General Fund Reserve, for a total appropriation of $5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008.

(Fiscal Impact.)

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance retroactively appropriating $3,544,110 of State Proposition 41 grant revenue, $898,965 of settlement revenue, $210,664 of revenue from candidate filing fees and other general government charges, and $1,044,327 of General Fund Reserve, for a total appropriation of $5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008.
(Fiscal Impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080794 [Appropriating $16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the **Mayor**

Department of Public Health for Fiscal Year 2007-2008]

Ordinance appropriating $16,864,000, including $15,449,000 in surplus hospital revenues and $1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating $5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080442 **[Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080739 **[Chlorofluorocarbon Recovery and Recycling Fees]** **Mayor**

Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for permitting and inspections by the Department of Health and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080740 **[Diesel Backup Generator Fees]** **Mayor**

Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080741 **[Hazardous Materials Fees]** **Mayor**

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080742 **[Hazardous Waste Management Fees]**

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080743 **[Hazardous Waste Soil Analysis Fees]** **Mayor**

Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous

waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080744 **[License and Permit Fees]** **Mayor**
Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080745 **[Medical Waste Generator Registration, Permitting, Inspections And Fees]** **Mayor**
Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat

medical waste and for inspections by the Department of Public Health; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080746 **[Risk Management Program Fees]** **Mayor**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080747 **[Ambulance Permit Fees]** **Mayor**

Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080748 **[Health Inspection Fees]** **Mayor**

Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add provisions for the Controller to adjust annually, and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080749 **[San Francisco Public Library - Fees]** **Mayor**

Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials.

(Supervisors Daly and Mirkarimi dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin

Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

080750 **[Recreation and Park Department - Athletic Fields Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application fee for certification as a non-profit.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Daly, Sandoval

080751 **[Recreation and Park Department - Aquatic Facilities Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

080752 **[Recreation and Park Department - Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

080753 **[Recreation and Park Department - Reservation Administrative Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Sandoval

Supervisor Ammiano was noted absent at 4:18 p.m.

080754 **[Recreation and Park Department - Coit Tower Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - Ammiano

080755 **[Recreation and Park Department - Japanese Tea Garden Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - Ammiano

080756 **[Recreation and Park Department - Athletic League Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval
Absent: 1 - Ammiano

080757 **[Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

080758 **[Fees for Fire Department Services and Permits]** **Mayor**

Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080759 **[Fees for Fire Department Emergency Medical Services]** **Mayor**

Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080761 **[Patient Rates]** **Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080765 **[Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee]** **Mayor**

Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be $60. (Supervisors Daly and Mirkarimi dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick

Noes: 4 - Daly, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080708 **[Recorder's fee for Social Security Number Truncation Program - $1.00]** **Supervisor Peskin**

Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional $1.00 recording fee to fund the Social Security number truncation program, and making environmental findings. (Assessor-Recorder)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080733 **[Lease of space for cellular transmission at Alemany Farmers' Market Property]** **Mayor**

Resolution authorizing the lease of space for up to three cellular transmission sites at the property commonly known as the Alemany Farmers' Market located at the corner of Alemany Boulevard and Putnam Street.
(Supervisors Daly and Mirkarimi dissented in committee.)

NOT ADOPTED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Elsbernd, McGoldrick
Noes: 6 - Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendation of the City Operations and Neighborhood Services Committee

080264 [Liquor license, One Ferry Building, #29]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bishara Mudawar for Kabo, LLC, dba Village Market, located at One Ferry Building #29 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 323-08
Number:
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Government Audit and Oversight Committee

080675 **[Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011. (Public Health Department) (Fiscal Impact.)

Enacted Number: 322-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

080874 **[Urging the State of California to repeal local preemption regarding pesticides]** **Supervisors Alioto-Pier, Mirkarimi, Maxwell, Peskin**

Resolution urging the State of California to repeal the local preemption ban which prohibits local jurisdictions from banning pesticides throughout their city and county limits.

Enacted Number: 311-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

080915 **[Assessment Ballots for City Parcels, for proposed Yerba Buena Community Benefit District]** **Mayor**

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of nine parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Yerba Buena Community Benefit District.

Enacted Number: 310-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

From the Government Audit and Oversight Committee Without Recommendation

080664 **[SFGH Trauma Center General Obligation Bonds - $887,400,000]**

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval, Peskin, Elsbernd

Resolution determining and declaring that the public interest and necessity demand the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $887,400,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving

the time limits set forth in Administrative Code section 2.34.
(Fiscal Impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 307-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080663 **[SFGH Trauma Center General Obligation Bond Election - $887,400,000]**

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval, Peskin, Elsbernd

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $887,400,000 for the building and/or rebuilding and improving of the earthquake

safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving

the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendations of the Land Use and Economic Development Committee

071009 [Construction Dust Control] **Supervisors Maxwell, Peskin, Ammiano, Dufty, Mirkarimi**

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all

site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080850 [Zoning - 901 Bush Street Special Use District] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Recommendation of the Rules Committee

080639 **[Retirement system credit for unpaid parental leave]** **Supervisors Alioto-Pier, Daly, Dufty, Ammiano, Mirkarimi, Sandoval**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed

with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

Continued to July 22, 2008
Supervisor Mirkarimi requested to be added as a co-sponsor.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

From the Rules Committee Without Recommendation

080651 [Policy regarding budget set-asides] **Mayor**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by

adding Section 9.119 to: (1) establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited; and (2) require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:

Ayes: 4 - Daly, McGoldrick, Mirkarimi, Peskin
Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval
Absent: 1 - Ammiano

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to continue this matter to July 22, 2008. Supervisor Daly withdrew his motion to continue this matter.

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Chu, Daly, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, McGoldrick, Mirkarimi

Recommendations of the Rules Committee

080940 **[Appointment, Commission of Animal Control and Welfare]**

Motion appointing Dr. David Gordon, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

Dr. David Gordon succeeding Mara Weiss, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2010.

Enacted Number: M08-113

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

From the Rules Committee Without Recommendation

080972 [Appointment, Commission of Animal Control and Welfare, Christine Garcia]

Motion appointing Christine Garcia, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

Christine Garcia succeeding herself, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

NOT APPROVED by the following vote:

Ayes: 2 - Daly, Mirkarimi

Noes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Ammiano

080974 [Appointment, Commission of Animal Control and Welfare, Angela Padilla]

Motion appointing Angela Lucia Padilla, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

Angela Lucia Padilla succeeding Christine Garcia, seat 2, must be a member representing the general public having intertest and experience in animal matters, for a two year term ending April 30, 2010.

Enacted Number: M08-112

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell introduced, welcomed and presented Certificate of Honors to Dr. Bennett and Dr. Nadine Burke in recognition of their efforts in providing medical assistance to the citizens in Bayview Hunters Point area.

SPECIAL ORDER 3:30 P.M

080888 **[Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be approved.)

080889 **[Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1420 Turk Street and**

1535 Eddy Street]

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080890 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080891 **[Findings - 1420 Turk Street and 1535 Eddy Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M

080892 **[Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]**

Hearing of persons interested in or objecting to the

decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be approved.)

080893 [Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1345 Fillmore Street]

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080894 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1345 Fillmore Street]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080895 [Findings - 1345 Fillmore Street Tentative Final Map]

Motion directing the Clerk of the Board to prepare

findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Continued to August 12, 2008 at 3:30 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M

080918 [Public Hearing - Appeal of Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project located in unincorporated San Mateo

Hearing of persons interested in or objecting to the Planning Commission's June 5, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2003.0655E, through it's Motion No. 17612, for a proposed San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel

Project, located in unincorporated San Mateo County near Polhemus and Crystal Springs Road.
(Appellant: Todd A. Aanenson on behalf of the San Mateo Homeowners Association)
(Filed 6/25/08; companion measure to 080919, 080920, 080921.)

The President inquired as to whether any member of the public wished to address the Board.
President informed the Board members that the appellant had withdrawn the appeal.
The President declared the public hearing closed.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Hearing be TABLED.
The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be approved.)

080919 [Affirming certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel

Project.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080920 [Disapproving certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080921 [Preparation of findings to disapprove certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the

Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080647 [Commission on the Environment] **Supervisor Mirkarimi**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080648 [San Francisco Clean Energy Act] **Supervisors Mirkarimi, Ammiano, Dufty, Maxwell**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San

Francisco Public Utilities Commission under Charter section 8B.125.

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080649 [Promoting and Sustaining Music and Culture in San Francisco]

Supervisors Mirkarimi, Ammiano, Sandoval, Dufty

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

Continued July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

080650 **[Creating an Historic Preservation Commission]** **Supervisors Peskin, Ammiano**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove,

or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

Supervisor Peskin, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Charter Amendment (Fifth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval,

disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

Continued to July 22, 2008 with the Board Sitting as a Committee of the Whole.

Supervisor Peskin, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Judith Misaruca Terracina; requested an In Memoriam for the mother of past Board of Supervisor Tony Hall Walter; shared certain memorabilia with the Board members

Male speaker; expressed appreciation to the Board members and staff for the participation in the single sock program for veterans

Richard McGary; expressed concern with issues relating to a US patent for the design of Sigmund

Stern Grove
Jose Morales; expressed concern with issues relating to evictions and senior housing
Beverly Upton; expressed appreciation for the restoration of funding for the domestic violence programs and the need to support all people of San Francisco
Roberta Toomer; expressed appreciation for the restoration of funding for the domestic violence programs and the need to support all people of San Francisco
Carol Magreeder; expressed appreciation for the legislation against smoking advertisements directed to the younger generation
Julie Waters; expressed appreciation for the legislation against smoking advertisements directed to the younger generation

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080958 **[Commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award]** **Supervisor Dufty**

Resolution commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award.

Enacted Number: 321-08
ADOPTED

080959 **[Commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award]** **Supervisor Dufty**

Resolution commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award.

Enacted Number: 320-08
ADOPTED

080960 **[Commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award]** **Supervisor Dufty**

Resolution commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award.

Enacted Number: 319-08
ADOPTED

080961 **[Commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award]** **Supervisor Dufty**

Resolution commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award.

Enacted Number: 318-08
ADOPTED

080962 **[Accept and Expend State Grant - $47,773]** **Supervisor Dufty**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds in the amount of $47,773.00 from the California Department of Food and Agriculture to eliminate a major infestation of invasive weeds in the Twin Peaks Natural Area of San Francisco.

Enacted Number: 308-08
ADOPTED

080963 **[Grant to support a drug research study - $63,210]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $63,210 from the Public Health Foundation Enterprises

(PHFE) to support the study entitled "Mirtazapine to reduce methamphetamine use among MSM with high-risk HIV behaviors project;" for the period of June 1, 2008 through May 31, 2009.

Enacted 317-08
Number:
ADOPTED

080965 **[40 day extension for Planning Commission review - Planning Code Enforcement Fund]** **Supervisor Peskin**

Resolution extending by 40 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 10.100-166 of the Administrative Code and Section 303(l) to update enforcement provisions of the Planning Code, including fees, and making environmental findings, General Plan findings, and other required findings.

Enacted 316-08
Number:
ADOPTED

080966 **[Approving Tefra Hearing for On Lok Community Housing Project]** **Supervisor Peskin**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $30,000,000 to finance and

refinance the acquisition, construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by On Lok Senior Health Services and On Lok Community Housing, Inc.

Enacted Number: 309-08
ADOPTED

080967 **[Commending Maurice Mabutas on the occasion of his 102nd birthday]** **Supervisor Sandoval**

Resolution commending Maurice Mabutas on the occasion of his 102nd birthday.

Enacted Number: 315-08
ADOPTED

080968 **[60 day extension for Planning Commission review - The Metro Theatre]** **Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

Enacted Number: 314-08
ADOPTED

080969 **[Creation of transgender health benefits for CalPers]** **Supervisors Ammiano, Daly**

Resolution endorsing the creation of transgender health benefits for CalPers.

Enacted Number: 313-08
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

080964 **[Declaration of Election Results]** **Supervisor Peskin**

Resolution declaring the results of the June 3, 2008 Consolidated Statewide Direct Primary Election.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Supervisor Chu requested that this matter be severed so that it might be considered separately.

080970 [Burma Day - August 8, 2008] Supervisor Ammiano

Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.

Continued to July 22, 2008

Supervisor Chu, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Ordinances

080441 [Regulating Overtime for City Employees] — **Mayor, Supervisor McGoldrick**

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours worked in any fiscal year and to limit overtime to no more than 80 in a regular work week except for work performed for emergency or critical services needs, if such emergency or critical service need is approved by appropriate officials.

4/1/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

7/15/08, TRANSFERRED to Budget and Finance Committee.

7/16/08, SUBSTITUTED to Budget and Finance Committee.

081002 [Zoning - Repeat Violations of General Advertising Sign Requirements] — **Supervisors Alioto-Pier, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 to add subsection (f), which addresses repeat violations of general advertising sign requirements by a single entity on the same property; adopting findings, including environmental findings and findings required by Section 302 and Section 101.1 of the Planning Code.
7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081008 **[Residential mental health treatment for youth in foster care]** **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by adding sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.
7/16/08, RECEIVED AND ASSIGNED to Rules Committee.

081009 **[Prohibiting Smoking in Taxicabs and Motor Vehicles for Hire and Free Distribution of Tobacco Promotional Items]** **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to

prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco promotional items.

7/16/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 8/15/2008.

081010 **[Building - Ban on Wooden Fixed Utility Ladders in R-1 and R-2 Occupancies]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1 and R-2 Occupancies, and making findings under the California Environmental Quality Act.

7/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/15/2008.

081011 **[Appropriating $498,145 of FY 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice for the Community Justice Center for FY 2008-2009]** **Supervisors McGoldrick, Elsbernd, Peskin**

Ordinance appropriating $498,145 of Fiscal Year 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice to fund a Community Justice Center in Fiscal Year 2008-2009.

(Supervisor Daly dissented in committee.) (Fiscal Impact.)
7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081012 **[Requiring Board of Supervisors' approval of the route for certain athletic events that require temporary street closures]** **Supervisors Peskin, Alioto-Pier**

Ordinance amending Section 9.11 of the Transportation Code to require Board of Supervisors' approval of the route for an athletic event requiring temporary street closures that has not been held on substantially the same route for three or more years.
7/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081014 **[In-Home Supportive Services - Public Authority]** **Supervisor Peskin**

Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.
7/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081016 **[Refunding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project)]** **Mayor**

Ordinance approving the issuance of lease revenue refunding bonds to refinance, in whole and/or in part, the $144,300,000 outstanding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project); approving the form of a site and facilities lease by and between the City and County of San Francisco (the "City") and the City and County of San Francisco Finance Corporation (the "Corporation"); approving the form of a project lease between the Corporation and the City; approving the form of a reimbursement agreement among the City, the Corporation and each credit provider; approving the form of an Official Statement; approving the form of a purchase contract between the Corporation and each underwriter, including the form of a certificate of the City; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

081003 **[Approval of Agreement between the City and County of San Francisco and Cubic Transportation Systems, Inc. for Farebox System Rehabilitation and Upgrades, for a contract term of twenty-six** — **Supervisor Dufty**

Resolution approving the Agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and Cubic Transportation Systems, Inc. for Fare System Rehabilitation and Upgrades Project.

(Fiscal Impact.)

7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081004 **[Interim Controls On Major Rights of Way Along and Near the Southern 19th Avenue Corridor]** — **Supervisor Elsbernd**

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and

near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081005 **[19th Avenue Cumulative Impact Study]** **Supervisors Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081006 **[Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - $45,000,000]** **Supervisor Elsbernd**

Resolution authorizing and directing the sale of not to exceed $45,000,000 City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008) Series 2008B; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal Impact.)

7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081007 **[Clean and Safe Neighborhood Parks General Obligation Bonds** **Supervisor Elsbernd**

Issuance - $185,000,000]

Resolution providing for the issuance of not to exceed $185,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks, 2008); authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Fiscal Impact.)

7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081013 [Economic Impact Analysis of Proposed Daytime Street Closure] — **Supervisors Peskin, Elsbernd, Alioto-Pier**

Resolution directing the Office of Economic Analysis and the Office of Small Business to conduct an analysis of the economic impact of the proposed "Sunday Streets" street closure planned for August 31st and September 14th on local businesses and requesting the City postpone any street closure until such analysis is completed.

7/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081015 **[Mirant Potrero Power Plant retrofit]** **Mayor**

Resolution authorizing and directing the negotiation and execution of a memorandum of agreement relating to the retrofit of Potrero Power Plant Units 4, 5 and 6, the closure of all Potrero Power Plant generating units if and when such units are no longer needed for electric system reliability, and the reuse of the Potrero power Plant site upon such closure.

(Fiscal Impact.)

7/16/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081017 **[Supporting full funding of Proposition 42 in the FY 2008-09 California State Budget]** **Mayor**

Resolution urging the California State Legislature to fully fund Proposition 42 as proposed by the Governor in the Fiscal Year 2008-09 California State Budget and supported by the Budget Conference Committee.

7/16/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081020 **[Commending the Ocean View, Merced Heights, Ingleside Neighbors in Action (OMI-NIA) for 20 years of outstanding service to the community, on the occasion of their 20th anniversary]** **Supervisor Sandoval**

Resolution commending the Ocean View, Merced Heights, Ingleside Neighbors in Action (OMI-NIA) for 20 years of outstanding service to the community, on the occasion of their 20th anniversary.

7/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081021 **[Accept and Expend Regional Grant - $24,000]** **Supervisor Chu**

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $24,000 from the Bay Area Air Quality Management District through Sustainable Earth Initiative for the purpose of providing technical assistance to develop, produce and disseminate best management tools for local commercial and municipal fleets' managers about how to reduce their fleets' carbon dioxide and polluting emissions.

7/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081022 **[Calling for FremantleMedia North America to provide its employees with industry standard benefits and to treat its employees with dignity and respect]** **Supervisor Dufty**

Resolution calling for Fremantlemedia North America to provide its employees with industry standard benefits and to treat its employees with dignity and respect.

7/16/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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July 22, 2008

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MEETING MINUTES

Tuesday, July 22, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisor Ammiano was noted absent.
Supervisor Ammiano was noted present at 2:09 p.m. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to approve the Board Meeting

Minutes of June 10, 2008 and June 17, 2008. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080738 [Environmental review fees, Community fee, and related fees] **Mayor**

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Plans; and making environmental findings.

Enacted Number: 155-08

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080794 **[Appropriating $16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $16,864,000, including $15,449,000 in surplus hospital revenues and $1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating $5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 177-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080442 **[Recreation and Park Department - County Fair Building & Botanical Garden** **Mayor**

Facility Rental Fees]

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

Enacted Number: 178-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080739 **[Chlorofluorocarbon Recovery and Recycling Fees]** **Mayor**

Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for permitting and inspections by the Department of Health and making environmental findings.

Enacted Number: 154-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080740 **[Diesel Backup Generator Fees]** **Mayor**

Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental

findings.

Enacted 153-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080741 [Hazardous Materials Fees] **Mayor**

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.

Enacted 152-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080742 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

Enacted Number: 151-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080743 **[Hazardous Waste Soil Analysis Fees]** **Mayor**

Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.

Enacted Number: 150-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080744 **[License and Permit Fees]** **Mayor**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.

Enacted 149-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080745 **[Medical Waste Generator Registration, Permitting, Inspections And Fees]** **Mayor**

Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and making environmental findings.

Enacted 148-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080746 **[Risk Management Program Fees]** **Mayor**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and

making environmental findings.

Enacted Number: 161-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080747 [Ambulance Permit Fees] **Mayor**

Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.

Enacted Number: 160-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080748 [Health Inspection Fees] **Mayor**

Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add

provisions for the Controller to adjust annually, and making environmental findings.

Enacted 159-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080757 **[Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.

Enacted 158-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080758 **[Fees for Fire Department Services and Permits]** **Mayor**

Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire

Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.

Enacted Number: 162-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080759 **[Fees for Fire Department Emergency Medical Services]** **Mayor**

Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.

Enacted Number: 165-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080761 **[Patient Rates]** **Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.

Enacted 164-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080708 **[Recorder's fee for Social Security Number Truncation Program - $1.00]** **Supervisor Peskin**

Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional $1.00 recording fee to fund the Social Security number truncation program, and making environmental findings. (Assessor-Recorder)

Enacted 163-08
Number:
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

071009 [Construction Dust Control] **Supervisors Maxwell, Peskin, Ammiano, Dufty, Mirkarimi**

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

Enacted Number: 176-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080850 **[Zoning - 901 Bush Street Special Use District]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Enacted Number: 175-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Dufty, assumed the Chair so the President could participate in the debate from the floor concerning the following item.
The President resumed the Chair shortly thereafter.

080725 **[Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009]** **Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009.
(Supervisor Daly dissented in committee.) (Fiscal Impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080726 **[Annual Salary Ordinance, Fiscal Year 2008-2009]**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Supervisor Daly dissented in committee.) (Fiscal Impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

081040 **[Budget and Annual Appropriation Ordinance for Municipal Transportation Agency Budget for Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Budget and Annual Appropriation Ordinance Appropriating All Estimated Receipts and All

Estimated Expenditures for the Municipal Transportation Agency for the Fiscal Year Ending June 30, 2009 and for the Fiscal Year Ending June 30, 2010.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval

Noes: 5 - Ammiano, Chu, Daly, Mirkarimi, Peskin

081041 [Annual Salary Ordinance for the Mayor Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010]

Annual Salary Ordinance for the Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval

Noes: 5 - Ammiano, Chu, Daly, Mirkarimi, Peskin

080728 [Redevelopment Agency Budget Mayor 2008-2009]

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009. (Fiscal Impact.)

Enacted Number: 331-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080730 **[Treasure Island Development Authority Budget 2008-2009]** **Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.

(Fiscal Impact.)

Enacted Number: 332-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080828 **[Public Education Enrichment Fund - First Five Commission]** **Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted 333-08

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080829 **[Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]** **Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-2009.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted 334-08

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080922 **[Redevelopment Agency Bond 2008-2009]**

Resolution approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed $202,824,283 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

Enacted 336-08
Number:
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080749 **[San Francisco Public Library - Fees]** **Mayor**

Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials. (Supervisors Daly and Mirkarimi dissented in committee.)

Enacted 171-08
Number:
FINALLY PASSED by the following vote:
Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

080750 **[Recreation and Park Department - Athletic Fields Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application

fee for certification as a non-profit.

Enacted Number: 170-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Daly, Sandoval

080751 **[Recreation and Park Department - Aquatic Facilities Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities.

Enacted Number: 169-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 1 - Sandoval

080752 **[Recreation and Park Department - Facility Rental Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.

Enacted Number: 168-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 1 - Sandoval

080753 **[Recreation and Park Department - Reservation Administrative Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.

Enacted Number: 167-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 1 - Sandoval

080754 **[Recreation and Park Department - Coit Tower Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.

Enacted Number: 166-08

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

080755 **[Recreation and Park Department - Japanese Tea Garden Fees]** **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.

Enacted Number: 157-08
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

080756 **[Recreation and Park Department - Athletic League Fees]** **Mayor**

Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.

Enacted Number: 174-08
FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Daly
Absent: 2 - Dufty, Sandoval

080765 **[Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee]** **Mayor**

Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be $60. (Supervisors Daly and Mirkarimi dissented in committee.)

Enacted Number: 144-08
FINALLY PASSED by the following vote:
Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick
Noes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval

080766 **[De-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating $2,500,000 to the General Fund for Fiscal Year 2007-2008]** **Mayor**

Ordinance de-appropriating $2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating $2,500,000 to the General Fund in the Mayor's Office for Fiscal Year

2007-2008.

Enacted Number: 173-08
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ammiano

080737 **[Planning Department Fee Adjustment]** **Mayor, Supervisor Elsbernd**

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.

Enacted Number: 156-08
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080793 **[Retroactively appropriating $5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008]** **Mayor**

Ordinance retroactively appropriating $3,544,110 of State Proposition 41 grant revenue, $898,965 of settlement revenue, $210,664 of revenue from candidate filing fees and other general government charges, and $1,044,327 of General Fund Reserve, for a total appropriation of $5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008. (Fiscal Impact.)

Enacted Number: 172-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

From the Government Audit and Oversight Committee Without Recommendation

080663 **[SFGH Trauma Center General Obligation Bond Election - $887,400,000]**

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi,

Sandoval, Peskin, Elsbernd

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code

Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)

Enacted Number: 123-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080647 **[Commission on the Environment]** **Supervisor Mirkarimi**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Ammiano, Daly, Dufty, Mirkarimi
Noes: 6 - Chu, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

080648 **[San Francisco Clean Energy Act]** **Supervisors Mirkarimi, Ammiano, Dufty, Maxwell**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San

Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

Supervisors Dufty and Maxwell requested to be added as co-sponsors.

ORDERED SUBMITTED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Elsbernd, McGoldrick

080649 **[Promoting and Sustaining Music and Culture in San Francisco]** **Supervisors Mirkarimi, Ammiano, Sandoval, Dufty**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by

establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Ammiano, Daly, Dufty, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick, Peskin

080639 [Retirement system credit for unpaid parental leave] **Supervisors Alioto-Pier, Daly, Dufty, Ammiano, Mirkarimi, Sandoval**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation

of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

Supervisor Sandoval requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

080643 [City Elections In Even-Numbered Years] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

ORDERED SUBMITTED by the following vote:
Ayes: 6 - Daly, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Ammiano, Chu, Elsbernd,

Mirkarimi

From the Rules Committee Without Recommendation

080619 **[Providing for appointment rather than election of the City Treasurer]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Dufty, Maxwell, McGoldrick, Peskin

Noes: 6 - Ammiano, Chu, Daly, Elsbernd, Mirkarimi, Sandoval

080851 **[Appointment of the City Treasurer; City Elections in Even-numbered Years]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100,

13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

The President of the Board inquired as to whether any member of the public wished to address the Board members.
There were none.
The President declared the public hearing closed.

080641 **[Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments;**

Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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July 29, 2008

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MEETING MINUTES

Tuesday, July 29, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.
Supervisors Alioto-Pier and McGoldrick were noted present at 2:06 p.m.
There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting

Minutes of June 24, 2008. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080887 [SFPD MOU for Loan of FBI Vehicles] **Mayor**

Ordinance approving a memorandum of understanding between the City and County of San Francisco and the Federal Bureau of Investigations (FBI) for the loan of two Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department Tactical Company, and waiving the indemnification requirements of the San Francisco Administrative Code Chapter section 4.18 for this agreement, and approving the City indemnifying and holding the FBI harmless against claims arising from the activities of the City under the MOU.

Enacted 184-08
Number:
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

080578 **[Liquor license transfer - 17 Third Street]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1701 Taraval Street to 17 Third Street (District 6), to Brian Sheehy for Future Beverage, Inc. dba Cask will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 349-08
Number:
ADOPTED

080910 **[State grant to support environmental health pest exclusion activities - $47,694.36]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown

Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.

Enacted Number: 329-08
ADOPTED

Recommendations of the Government Audit and Oversight Committee

080792 **[Replacing the Emergency Response Fee, with a general tax at the same rates and with the same exemptions and modernizing the Telephone Users Tax without changing the rate or exemptions.]**

Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) adding Article 10B, Sections 780-786, to replace the current Emergency Response Fee with a general tax at the same rates and with the same exemptions; (2) repealing Article 10A, Sections 750-770, to eliminate the existing Emergency Response Fee; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702

and 707.3, all to modernize and update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

Enacted Number: 145-08
FINALLY PASSED

080849 **[PG&E SmartMeter Upgrade Proposal]** **Supervisors Peskin, Dufty, Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval**

Ordinance directing the Department of the Environment to conduct a Cost and Climate Review of PG&E's request to the California Public Utilities Commission to spend $877 million on a SmartMeter upgrade program; and directing the City Attorney, in consultation with the Department of the Environment and Public Utilities Commission, to participate in the CPUC review of PG&E's request; and establishing the City's policy to oppose PG&E's request if the Cost and Climate Review concludes that PG&E's SmartMeter upgrade proposal is not cost effective or that alternative technologies that offer greater benefits should be investigated. (Fiscal Impact.)

Enacted Number: 186-08
FINALLY PASSED

Recommendations of the Land Use Committee

080407 **[Subdivision Code - definition of conversion]** **Supervisor Peskin**

Ordinance amending the San Francisco Subdivision Code Section 1308 to modify the definition of conversion to include specified air space subdivisions of existing residential structures; and making environmental findings.

Enacted Number: 185-08
FINALLY PASSED

080947 **[Changing the official sidewalk width - Jessie Street east of 10th Street]** **Supervisor Daly**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1579 to change the official sidewalk width on Jessie Street east of 10th Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving public sidewalk easements along the

southerly side of Jessie Street.

Enacted Number: 179-08
FINALLY PASSED

Recommendations of the Rules Committee

080944 [Appointment, Assessment Appeals Board No. 1- Gregory Blaine]

Motion appointing Gregory Blaine, term ending September 6, 2010, to Assessment Appeals Board No. 1.

Gregory Blaine, succeeding Carol Ruth Silver, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows:Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.

Enacted Number: M08-122
APPROVED

080945 [Appointment, Assessment Appeals Board No. 2 - Alfredo Perez]

Motion appointing Alfredo Perez, term ending September 6, 2010, to Assessment Appeals Board No. 2.

Alfredo Perez, succeeding Richard Lee, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.

Enacted Number: M08-123
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

080725 **[Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009]** **Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009.

(Supervisor Daly dissented in committee.) (Fiscal Impact.)

Enacted Number: 140-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080726 **[Annual Salary Ordinance, Fiscal** **Mayor**

Year 2008-2009]

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Supervisor Daly dissented in committee.) (Fiscal Impact.)

Enacted Number: 141-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

081040 **[Budget and Annual Appropriation Ordinance for Municipal Transportation Agency Budget for Fiscal Years 2008-2009 and 2009-2010]** **Mayor**

Budget and Annual Appropriation Ordinance Appropriating All Estimated Receipts and All Estimated Expenditures for the Municipal

Transportation Agency for the Fiscal Year Ending June 30, 2009 and for the Fiscal Year Ending June 30, 2010.

Enacted Number: 142-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval

Noes: 3 - Daly, Mirkarimi, Peskin

081041 [Annual Salary Ordinance for the Mayor Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010]

Annual Salary Ordinance for the Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010.

Enacted Number: 143-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval

Noes: 3 - Daly, Mirkarimi, Peskin

080880 [Recreation and Park Department - Event Fees] **Supervisor McGoldrick**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.22 to amend the fees for use of the parks for events.

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081011 **[Appropriating $498,145 of FY 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice for the Community Justice Center for FY 2008-2009]** **Supervisors McGoldrick, Elsbernd, Peskin**

Ordinance appropriating $498,145 of Fiscal Year 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice to fund a Community Justice Center in Fiscal Year 2008-2009. (Supervisor Daly dissented in committee.) (Fiscal Impact.)

Supervisor Sandoval was previously excused from voting on this matter.

Enacted Number: 183-08

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin
Noes: 3 - Ammiano, Daly, Mirkarimi
Excused: 1 - Sandoval

Recommendations of the Government Audit and Oversight Committee

080832 [Real Property Transfer Tax] **Supervisors Peskin, Dufty, Ammiano**

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds $5 million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests. (Economic Impact)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted 146-08
Number:
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Chu

080800 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]** **Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Supervisor Chu was previously excused from voting on this matter.

Enacted 182-08
Number:
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Chu

080801 **[MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]** **Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Supervisor Chu was previously excused from voting on this matter.

Enacted Number: 181-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Chu

Recommendation of the Land Use and Economic Development Committee

080063 [Green Building Requirements] **Mayor, Supervisors Peskin, Sandoval, Maxwell, Ammiano, Dufty**

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on (1) newly constructed

Group R occupancy residential buildings, (2) newly constructed commercial buildings of Group B or M occupancies that are 5,000 gross square feet or more, (3) existing first-time build-outs of commercial interiors that are 25,000 gross square feet or more in area buildings of Group B or M occupancies, and (4) major alterations that are 25,000 gross square feet or more in existing buildings of Group B, M, or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting (1) City projects, which are subject to Chapter 7 of the San Francisco Environment Code, (2) any new building in which laboratory use of any occupancy classification is the primary use, and (3) any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification, and to authorize the Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility and require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure; imposing additional requirements on demolitions and credits for the reuse of historic structures; providing that the requirements become operative 90 days after adoption if the California Energy Commission has approved it by that time; adopting findings, including environmental findings, and findings required by California Health and Safety Code Section 17958.5, and California Energy

Code findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 180-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

080650 [Creating an Historic Preservation Commission] **Supervisors Peskin, Ammiano**

Charter Amendment (Sixth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property

contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

The President inquired if any member of the public wished to address the Board members.
There were none.
The President declared the public hearing closed.
8/1/08, Transmitted to Department of Elections.

ORDERED SUBMITTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

The President inquired if any member of the public wished to address the Board members.
There were none.
The President declared the public hearing closed.

081030 [Payroll Expense Tax] **Supervisors Peskin, Dufty**

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (200% of compensation for its most highly paid quartile of employees, provided entity has at least 4 employees); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is $250,000 or less.

Supervisor Alioto-Pier was previously excused from voting on this matter.

Enacted 147-08
Number:
FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080882 **[Lease of Real Property - 1449 Webster Street]** **Supervisor Mirkarimi**

Resolution authorizing the lease of 3,900 sq. ft. at 1449 Webster Street for employment assistance programs.
(Fiscal Impact.)

Enacted Number: 354-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080760 **[Authorizing the execution and delivery of certificates of participation to finance health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard]** **Mayor**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of a health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 375 Laguna Honda Boulevard; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell for the certificates of participation, if sold by competitive sale; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the certificates of participation, if sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Enacted Number: 351-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080951 **[Approving Tefra Hearing for The Institute on Aging Project]** **Supervisor McGoldrick**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $50,000,000 to finance the construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by The Institute on Aging. (Fiscal Impact.)

Enacted Number: 355-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081006 **[Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - $45,000,000]** **Supervisor Elsbernd**

Resolution authorizing and directing the sale of not to exceed $45,000,000 City and County of San Francisco General Obligation Bonds (Clean and Safe

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of a health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 375 Laguna Honda Boulevard; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell for the certificates of participation, if sold by competitive sale; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the certificates of participation, if sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Enacted Number: 351-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080951 **[Approving Tefra Hearing for The Institute on Aging Project]** **Supervisor McGoldrick**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $50,000,000 to finance the construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by The Institute on Aging. (Fiscal Impact.)

Enacted Number: 355-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081006 **[Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - $45,000,000]** **Supervisor Elsbernd**

Resolution authorizing and directing the sale of not to exceed $45,000,000 City and County of San Francisco General Obligation Bonds (Clean and Safe

Neighborhood Parks Bonds, 2008) Series 2008B; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.
(Fiscal Impact.)

Enacted Number: 342-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081007 **[Clean and Safe Neighborhood Parks General Obligation Bonds Issuance - $185,000,000]** **Supervisor Elsbernd**

Resolution providing for the issuance of not to exceed $185,000,000 aggregate principal amount of

City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks, 2008); authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Fiscal Impact.)

Enacted Number: 343-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080774 [DSW training and reporting and employee contact information] **Supervisor Alioto-Pier**

Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080876 **[Recurring FY 2008-2009 State grant funds to the Department of Public Health]** **Supervisor Alioto-Pier**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2008-2009.
(Fiscal Impact.)

Enacted Number: 353-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

080594 **[Prohibiting pharmacies from selling tobacco products]** **Mayor, Supervisors Peskin, McGoldrick**

Ordinance amending the San Francisco Health Code by amending Section 1009.53 and adding Section 1009.60 and Article 19J, to prohibit pharmacies from selling tobacco products.
(No Economic Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Chu, Dufty, Elsbernd

Recommendation of the Government Audit and Oversight Committee

080283 [San Francisco Special Tax Financing Law] — **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Article 43.10, Sections 43.10.1 through 43.10.23, to enact the Special Tax Financing Law establishing procedures for the formation of special tax districts, the imposition of special taxes and the issuance of bonds secured by such special tax funds.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080823 [Establishment of floodplain management programs and — **Supervisors Elsbernd, Chu**

designation of floodplain administrator]

Ordinance establishing a floodplain management program by adding Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain administrator; and providing requirements for designating floodplains and for construction and development in floodplains.

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080824 **[Authorizing enrollment in National Flood Insurance Program]** **Supervisors Elsbernd, Chu**

Resolution authorizing enrollment in the National Flood Insurance Program, providing assurances that the City, acting by and through the City Administrator, will implement a floodplain management program, and authorizing the City Administrator to take actions necessary to implement this resolution.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 352-08

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080673 **[San Francisco Public Utilities Commission Cross Connection Controls Project]**
Resolution adopting Final Mitigated Negative Declaration, and adopting findings pursuant to the California Environmental Quality Act (CEQA), including the Mitigation Monitoring and Reporting Plan, related to use of appropriated funds for San Francisco Public Utilities Commission (SFPUC) Cross Connection Controls Project. (Public Utilities Commission)

Enacted Number: 350-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

080652 **[Rental Subsidy Program for Low-Income Families]** **Supervisors Daly, Ammiano, Sandoval**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NOT PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick

Supervisor Daly, seconded by Supervisor Ammiano, moved to rescind the previous vote.
Motion to rescind the previous vote passed by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, McGoldrick

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be

AMENDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly withdrew his motion and moved to refer to Committee.
Referred to Committee as amended.
RE-REFERRED to the Land Use and Economic Development Committee by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080826 [Menu Labeling at Chain Restaurants] **Supervisor Ammiano**
Ordinance amending Sections 468.2, 468.3, 468.4, 468.5, 468.6, and 468.8 of the San Francisco Health Code to (1) set rounding rules for disclosure of nutritional information, (2) allow nutritional

information for pizzas to be listed per serving size, (3) allow chain restaurants to display the information required by Section 468.4 in brochures and booklets, (4) authorize the Director of the Department of Public Health to adopt rules and regulations to enforce these provisions, and (5) extend the deadlines for electronic reporting and disclosure on menus, food tags, and posters.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080618 **[Charter Amendment - Board of Supervisor Supervisors Aides, November McGoldrick 2009 Election]**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to eliminate the reference to the number of staff members provided for members of the Board of Supervisors.

Continued to August 5, 2008

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

081046 **[Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

The President inquired whether any member of the public wished to address the Board members.
Property owner of 242-5th Avenue
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

081047 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Amended by deleting 949 Hyde Street from the sidewalk assessment costs report.

Enacted Number: 344-08

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

080913 [Hearing - Broadway Entertainment Corridor Community Benefit District]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

The President inquired as to whether any member of the public wished to address the Board members.

Mr. Carroll Pleskot; opposed the Community Benefit District

Mr. Calvin Louie; opposed the Community Benefit District

The election and public hearing were continued to September 16, 2008 at 3:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080914 **[Resolution to establish the Broadway Entertainment Corridor Community Benefit District]** **Supervisor Peskin**

Resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

Continued to September 16, 2008 at 3:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

080916 [Hearing - Yerba Buena Community Benefit District]

Hearing of persons interested in or objecting to resolution establishing a property-based business improvement district to be known as the "Yerba Buena Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

The President inquired whether any member of the public wished to address the Board members.
Heather Hale, Yerba Buena Neighborhood; support of the Community Benefit District
Jerry Piazzo; support of the Community Benefit District
Peter Hartman; support of the Community Benefit District
Mike Nettles; support of the Community Benefit District
John Brown; support of the Community Benefit District
Andrew Bryant, South of Market Child Care; support of the Community Benefit District
Patricia Breslin, Hotel Council; support of the Community Benefit District
David Cross, Ca Historical Society; support of the Community Benefit District
Bob Black, SF Chamber of Commerce; support of the Community Benefit District

Darren Wong, State of California Transportation; opposed only to the right of way properties. He requested that this parcel be excluded from the Community Benefit District.
Doug O'Neill, Home Association; opposed to the Community Benefit District
Catherine Isaacs; opposed to the Community Benefit District
Heard at public hearing.
President declared the public comment closed.

FILED.

080917 [Resolution to establish the Yerba Buena Community Benefit District] **Mayor**

Resolution establishing a property-based business improvement district to be known as the "Yerba Buena Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Yerba Buena Community Benefit District.
Voting For - 82.96%
Voting Against - 17.04%
Supervisor McGoldrick moved to continue this matter to August 5, 2008.
Motion to continue this matter failed for a lack of a second.

Enacted Number: 330-08

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 3 - Daly, Elsbernd, Peskin

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to members of "PODER".

Supervisor Peskin, introduced, welcomed and presented a Certificate of Honor to the Director of San Francisco Symphony.

070910 [Public Hearing - Appeal of Determination of Exemption from

Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members. Project sponsor withdrew the propsed project. Susan Brandt Hawley, Attorney for the appellant

The President declared the public hearing closed.
FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

070967 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

The President inquired as to whether any member of the public wished to address the Board members. Continued to October 28, 2008 at 4:00 p.m.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only

those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070968 **[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]**

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to October 28, 2008 at 4:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070969 **[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]**

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and

denying the appeal.

Continued to October 28, 2008 at 4:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

080906 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for AT&T "Lightspeed" Telecommunications Network Upgrade]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2008, Case No. 2007.1350E, exempting from environmental review under Categorical Exemption, Class 3 [State CEQA Guidelines Section 15303(d)]. Under the project, AT&T proposes to install up to 850 metal telecommunications cabinets, each measuring approximately 48-inches high, 50-inches wide and 26-inches deep, in the public right-of-way. In addition, AT&T would enlarge some of its existing Serving Area Interface (SAI) cabinets that are now located in the public right-of-way throughout the City. (Appellant: David Crommie on behalf of Cole

Valley Improvement Association.)

The President inquired as to whether any member of the public wished to address the Board members.
Susan Brandt-Hawley; Attorney for the Appellant
G. Bland Platt; support of the Appellant
David Crommie; Appellant
The following listed speakers spoke in favor of the Appellant:
Dr. Wayne Lanier, Paul Wermer, Lawrence Rosenfold, Ann Morris, Susan Maerki, Karen Crommie, Patrick Ryan, Pastor of St. Nicolas Church. Sheia Dillman, Kathleen Connolly, Tag Cummmings, Richard Magary, Sherry Powell, Meg Rosenfeld, Ann Lanzerotti, Joshua Mogal, Mary O'Connor, Judy Hyme, Dr Richard Lanzerotti, Lena Emmery, Chuck Canepa, Mary Helen Briscoe, Stacy Fuchs, Minouche Kandel, Dick Millet, Chris Charles, Paul Wells, Tim Tonelli, Donald Stroh, Eric Preston, Nan Roth, Joan Downey, Female Speaker, Milo Hanke, Jane Martin, Chris Dudderstat, Eric Preston, Judith Berkovitz, Jerry Crowley
Biil Wycko and Tara Sullivan-Lenane, Representatives of the Planning Department reviewed with the Board the Plannng Department's recommendation.
The following listed speakers spoke on behalf of the project sponsor.
Lisa Walley, Sue Ellen Smith, Hannah Samuels, Jorge Morellon, Kelly Blemberg, Commissioner Steve Nakajo, Matt Dahlbacka, Reverend Townsend, Gayle Crawley, Antoinette Mobley, Evangelist Jackie Norman, La Ronda Smith, Franklin Ross, Reverend

Gary Banks, Al Norman, Lourdes Tancinco, Marivic Bamba, Rosario Anaya, Victor Diaz, Kein Jefferson, Howard Smith, Rob Black, Annie Chung
Jennifer Hernandez, Attorney for the project sponsor
Susan Brandt-Hawley, Appellant - Rebuttal Period
Heard at public hearing.
The President declared the public hearing closed.
AT&T withdrew it's application for a categorical exemption.
(File Nos. 080907, 080908 and 080908 were removed from the Board agenda.)

FILED.

COMMITTEE REPORTS

Supervisor Sandoval Excused From Voting

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Sandoval, at his request, from voting on this matter due a possible conflict of interest. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080484 [Sublease of Real Property at 555 Polk Street] Mayor

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555

Polk Street for the Community Justice Center through the Department of Public Health. (Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted 348-08
Number:
ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Ammiano, Daly
Excused: 1 - Sandoval

080987 [Appointment, Ballot Simplification Committee - Adele Fasick]

Motion appointing Adele Fasick, term ending November 30, 2008, to the Ballot Simplification Committee.
Adele Fasick, succeeding Suzanne Stassevitch, seat 3, term expired, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2008.

Enacted M08-127
Number:
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080977 [Appointment, Public Utilities

Commission - Ann Moller Caen]

Motion confirming the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, for the term ending August 1, 2012. (Mayor)

Enacted Number: M08-124

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080981 **[Appointment, Public Utilities Commission - Francis X. Crowley]**

Motion confirming the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, for the term ending August 1, 2012. (Mayor)

Enacted Number: M08-125

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080983 **[Appointment, Public Utilities Commission - Nora Vargas]**

Motion confirming the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to continue this matter to August 5, 2008.

Motion to continue this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Elsbernd, McGoldrick, Sandoval

Noes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin

Supervisor Sandoval was noted absent at 8:20 p.m.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Absent: 1 - Sandoval

080984 [Appointment, Public Utilities Commission - Nora Vargas]

Motion rejecting the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to continue this matter to August 5, 2008.

Motion to continue this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Elsbernd, MdGoldrick, Sandoval

Noes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi,

Peskin

Supervisor Sandoval was noted absent at 8:20 p.m.

Enacted M08-126
Number:

APPROVED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Absent: 1 - Sandoval

080821 **[Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]** **Supervisor Daly**

Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

(7/28/08, Supervisor Dufty dissenting in committee).

Supervisor Sandoval was noted present at 8:21 p.m. 8/1/08, Transmitted to Department of Elections.

Enacted M08-121
Number:

APPROVED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

080709 **[Settlement of City's Lawsuit Against Defendant Coral Energy Resources, L.P. - $277,000]**

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Coral Energy Resources, L.P.; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $277,000 to the City from defendant Coral Energy Resources, L.P. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080710 **[Settlement of City's Lawsuit Against Defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni - $297,500]**

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.),

and Mary Kathleen Zanaboni ("Reliant"); the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $297,500 to the City from the Reliant defendants. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080896 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC-06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al;

other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080897 [Settlement of Lawsuit - Schram Construction, Inc. - $722,104.09]

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking $1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of $722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared with the Board in song SF memorabilia
Male speaker; expressed concern with issues relating

to the economic crisis

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081039 [Accept-Expend Regional Grant Supervisor Chu - $16,100]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $16,100.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

Supervisor Ammiano was noted absent at 8:40 p.m.

Enacted 356-08

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

081019 **[Public Employment - Deputy Chief 3 - Police Department]** **Supervisor Dufty**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of 2 positions (1.50 FTE) Class 0402 - Deputy Chief 3 in the Police Department. (Fiscal Impact.)

7/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081057 **[Appropriating $110,632 of Community Improvement Impact Fee revenue for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009]** **Supervisor Maxwell**

Ordinance appropriating $110,632 of Community Impact Fee revenue from the Visitacion Valley Infrastructure Fund for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009.

7/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081058 **[Planning - Conditional Use Requirement for Steam or Fossil Fuel Power Plants in M-1 and M-2 Zoning Districts]** **Supervisor Maxwell**

Ordinance amending Planning Code Section 226 to require that steam or fossil-fuel power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City fossil fuel power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

7/29/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2008.

081061 [Lowering opposition spending threshold for increase in individual expenditure ceilings] **Supervisor Daly**

Ordinance amending Section 1.134.5 of the Campaign and Governmental Conduct Code to lower opposition spending threshold for increase in individual expenditure ceiling.

7/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/29/2008.

080162 [Disclosure of lobbying by campaign consultants] **Supervisor Peskin**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.117 to require campaign

consultants to disclose lobbying contacts with any officer of the City and County.

1/29/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/28/2008. (Referred to Ethics Commission for comment and recommendation.)

7/29/08, ASSIGNED to Rules Committee.

7/29/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing the same title.

Resolutions

081053 [Accept-expend gift - $100,000] **Supervisor Chu**

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of $100,000 from American Express to plant approximately 1,000 trees on Sunset Boulevard allowing the use of the City's corporate seal under certain conditions, and allowing the Director of Public Works to sign an agreement that includes provisions for alternative dispute resolution. (Supervisor McGoldrick dissented in Committee.)

7/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081054 [Grant to support the Peer Provider Project - $225,000] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco

Department of Public Health (DPH) to accept and expend retroactively funds from the California Wellness Foundation in the amount of $225,000 to support the Peer Provider Project, including a contract with Huckleberry Youth Programs in the total amount of $59,400; for the period of July 1, 2008 through June 30, 2011.
7/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081055 [Urging Yellow Cab Cooperative, Inc. to not require prepayments or deposits from taxicab drivers] **Supervisors Daly, Ammiano**

Resolution urging Yellow Cab Cooperative, Inc. not to require deposits or prepayments from taxicab drivers as a condition of employment or contract and urging the Taxi Commission to adopt rules prohibiting the collection of deposits or prepayments.
7/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 08/04/08 - Referred to the Taxi Commission for review and comment.

081056 [Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart - Not to exceed $35,000,000] **Supervisor Dufty**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code and requirements of Section 91530(f) of the Government

Code the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $35,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart - San Francisco.

7/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081059 [Acceptance of State Grant Funds, Department of Public Works - $450,000] **Supervisor McGoldrick**

Resolution authorizing the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling $450,000 for FY 2008-09 for various pedestrian projects in the City and County of San Francisco.

7/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081060 [Appointment - Treasury Oversight Committee] **Supervisor Peskin**

Resolution appointing Todd Rydstrom, term ending 2012, to the Treasury Oversight Committee.

7/29/08, RECEIVED AND ASSIGNED to Rules Committee.

081063 [Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - $2,294,774] **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,294,774 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA) - for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2008 to June 30, 2009.

7/29/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081064 **[Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - $100,583]** **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

7/29/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081065 **[Accept-Expend Grant Funds available through the San Francisco Foundation to fund the Youth Stewardship Program 2007-2008 - $18,000]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant in the amount of $18,000 to support the San Francisco Recreation and Parks Department Youth Stewardship Program 2007-2008.
7/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081066 **[Urging the Recreation and Park Commission and the San Francisco Housing Authority to thoroughly review the proposed plan to build a recycling and trash compacting center in McLaren Park]** **Supervisor Sandoval**

Resolution urging the Recreation and Park Commission and the San Francisco Housing Authority to review for consistency with the City's general plan, the proposed plan to build a recycling and trash compacting center in McLaren Park.
7/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081069 **[Urging Yellow Cab Cooperative, Inc. to not require prepayments or deposits from taxicab drivers]** **Supervisors Daly, Ammiano**

Resolution urging Yellow Cab Cooperative, Inc. not to require deposits or prepayments from taxicab

drivers as a condition of employment or contract and urging the Taxi Commission to adopt rules prohibiting the collection of deposits or prepayments.
7/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080988 **[Exceedances at the community airborne asbestos monitoring station HV-9]** **Supervisor Daly**

Hearing regarding the exceedances at the community airborne asbestos monitoring station HV-9 on May 30, 2008.
7/29/08, RECEIVED AND ASSIGNED to Rules Committee.

080989 **[Possible creation of a master plan for physical education of SFUSD students]** **Supervisor Dufty**

Hearing on the possible creation of a master plan for physical education of San Francisco Unified School District (SFUSD) students involving the San Francisco Recreation and Parks Department (RPD) and Department of Public Health (DPH), among other departments.
7/29/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

080990 **[Municipal Transportation Agency's processes and procedures around enforcement of disability placards]** **Supervisor McGoldrick**

Informational hearing on the Municipal Transportation Agency's processes and procedures around enforcement of disability placards. Requesting information on the number of false or misused placards that have been confiscated and how the MTA plans to continue an aggressive enforcement program.

7/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080991 **[Wooden decks in San Francisco]** **Supervisor McGoldrick**

Informational hearing on the processes and procedures that the Department of Building Inspection follows for inspection of wooden decks in San Francisco.

7/29/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080992 **[Controller's Office report, "Performance and Efficiency Review: Department of Public Health"]** **Supervisor Peskin**

Hearing on the Controller's Office report, "Performance and Efficiency Review: Department of

Public Health."
7/29/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motion

081070 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election. (Clerk of the Board)
7/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

081023 [Board Review and Approval of 2008 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]

Resolution approving the City and County of San Francisco 2008 grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)
(Fiscal Impact.)
7/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081026 [Approval of the 12-month cost extension application for HIV prevention projects for 2008 - $8,800,000]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit a 12-month cost extension application in order to continue to receive funding for the HIV prevention projects grant from the Centers for Disease Control and Prevention (CDC); in the amount of approximately $8,800,000 in HIV prevention funding for San Francisco, extending the project period from December 31, 2008 to December 31, 2009. (Public Health Department)
7/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081027 [Clean Renewable Energy Bonds]

Resolution approving the issuance of not to exceed $6,325,000 aggregate principal amount of clean renewable energy bonds to be issued by the Public Utilities Commission of the City and County of San Francisco (the "Commission"); approving the execution and delivery by the Commission of a Master Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, and a Bond Purchase Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)
(Fiscal Impact.)
7/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft a Charter Amendment with the following:
1. Creating Publicly Financed Election Fund
2. Transferring $6 million into the fund
3. Mandating annual transfer of $2.75/person into fund (adjust for inflation)
4. Ensure that at least $6 million is in the fund on January of years with election of Mayor.
From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: Requesting that the City

Attorney draft an Ordinance banning conversions of housing into student group housing for institutional use.

In Memoriams

Ryan Jones - Supervisor Alioto-Pier
Ioannis Konstantinos Rozis - Supervisor Dufty
Buzz Redford - Supervisor Elsbernd
Michelle Grimley - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:40 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on September 9, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board

procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast

open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards,

councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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August 05, 2008

GOVERNMENT
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City Hall
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MEETING MINUTES

Tuesday, August 5, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Daly was noted absent. There was a quorum present.
Supervisor Daly was noted present at 2:08 p.m.

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and

Finance Committee

080774 **[DSW training and reporting and employee contact information]** **Supervisor Alioto-Pier**

Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

Enacted Number: 189-08
FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

080283 **[San Francisco Special Tax Financing Law]** **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Article 43.10, Sections 43.10.1 through 43.10.23, to enact the Special Tax Financing Law establishing procedures for the formation of special tax districts, the imposition of special taxes and the issuance of bonds secured by such special tax funds.

Enacted Number: 196-08
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

080823 **[Establishment of floodplain management programs and designation of floodplain administrator]** **Supervisors Elsbernd, Chu**

Ordinance establishing a floodplain management program by adding Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain administrator; and providing requirements for designating floodplains and for construction and development in floodplains.

Enacted Number: 188-08

FINALLY PASSED

Recommendations of the Rules Committee

080709 **[Settlement of City's Lawsuit Against Defendant Coral Energy Resources, L.P. - $277,000]**

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Coral Energy Resources, L.P.; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was

filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $277,000 to the City from defendant Coral Energy Resources, L.P. (City Attorney)

Enacted Number: 193-08
FINALLY PASSED

080710 [Settlement of City's Lawsuit Against Defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni - $297,500]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni ("Reliant"); the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $297,500 to the City from the Reliant defendants. (City Attorney)

Enacted Number: 192-08
FINALLY PASSED

080896 **[Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]**

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC-06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al; other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896. (City Attorney)

Enacted Number: 191-08
FINALLY PASSED

080897 **[Settlement of Lawsuit - Schram Construction, Inc. - $722,104.09]**

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking $1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of $722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects. (City Attorney)

Enacted Number: 187-08
FINALLY PASSED

080826 **[Menu Labeling at Chain Restaurants]** **Supervisor Ammiano**

Ordinance amending Sections 468.2, 468.3, 468.4, 468.5, 468.6, and 468.8 of the San Francisco Health Code to (1) set rounding rules for disclosure of nutritional information, (2) allow nutritional information for pizzas to be listed per serving size, (3) allow chain restaurants to display the information required by Section 468.4 in brochures and booklets, (4) authorize the Director of the Department of Public Health to adopt rules and regulations to enforce these provisions, and (5)

extend the deadlines for electronic reporting and disclosure on menus, food tags, and posters.

Enacted Number: 195-08
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

080880 **[Recreation and Park Department - Event Fees]** **Supervisor McGoldrick**
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.22 to amend the fees for use of the parks for events.

Enacted Number: 190-08
FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

080594 **[Prohibiting pharmacies from selling tobacco products]** **Mayor, Supervisors Peskin, McGoldrick**

Ordinance amending the San Francisco Health Code by amending Section 1009.53 and adding Section 1009.60 and Article 19J, to prohibit pharmacies from selling tobacco products.
(No Economic Impact)

Enacted Number: 194-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Chu, Dufty, Elsbernd

From the Government Audit and Oversight Committee Without Recommendation

081013 **[Economic Impact Analysis of** **Supervisors**

Proposed Daytime Street Closure] **Peskin, Elsbernd, Alioto-Pier**

Resolution directing the Office of Economic Analysis and the Office of Small Business to conduct an analysis of the economic impact of the proposed "Sunday Streets" street closure planned for August 31st and September 14th on local businesses and requesting the City postpone any street closure until such analysis is completed.

NOT ADOPTED by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, McGoldrick, Peskin, Sandoval

Noes: 6 - Ammiano, Chu, Daly, Dufty, Maxwell, Mirkarimi

Recommendation of the Rules Committee

080618 [Charter Amendment - Board of Supervisor Supervisors Aides, November 2009 Election] **McGoldrick**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to eliminate the reference to the number of staff members provided for members of the Board of Supervisors.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080441 **[Regulating Overtime for City Employees]** **Mayor, Supervisor McGoldrick**

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours worked in any fiscal year and to limit overtime to no more than 80 in a regular work week except for work performed for emergency or critical services needs, if such emergency or critical service need is approved by appropriate officials.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Peskin, Sandoval

Noes: 5 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED. The motion FAILED by the

following vote:
Ayes: 4 - Daly, Elsbernd, Peskin, Sandoval
Noes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours worked in any fiscal year and to limit overtime to no more than 40 in a regular work week except for work performed for emergency or critical services needs, if such emergency or critical service need is approved by appropriate officials.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080830 [Pre-Tax Commuter Benefits for Qualifying Transit] **Supervisor Mirkarimi**
Ordinance amending the San Francisco Environment Code by adding a new Section 421 to require San Francisco employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize the Department of the Environment to implement an Emergency Ride Home program; and making environmental findings. (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081016 **[Refunding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project)]** **Mayor**

Ordinance approving the issuance of lease revenue refunding bonds to refinance, in whole and/or in part, the $144,300,000 outstanding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project); approving the form of a site and facilities lease by and between the City and County of San Francisco (the "City") and the City and County of San Francisco Finance Corporation (the "Corporation"); approving the form of a project lease between the Corporation and the City; approving the form of a reimbursement agreement among the City, the Corporation and each credit provider; approving the form of an Official Statement; approving the form of a purchase contract between the Corporation and each underwriter, including the form of a certificate of the City; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; approving modifications to documents; and

ratifying previous actions taken in connection therewith.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080949 **[Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program]** **Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement for the Laguna Honda Hospital Replacement Program from $9,995,383 to $14,784,481.
(Fiscal Impact.)

Enacted Number: 357-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

080950 **[Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]** **Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute amendment to a design agreement for the Laguna Honda Hospital Replacement Program from $39,155,175 to $44,633,529.
(Fiscal Impact.)

Enacted Number: 358-08

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

081036 **[Multifamily Housing Revenue Bonds, Series 2008B - Geary Senior Housing]** **Supervisor McGoldrick**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $30,000,000 for the purpose of providing financing for the construction of a multifamily rental housing project to be known as Geary Senior Housing, to consist of 150 housing units; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City

officials to take actions necessary to implement this resolution; and related matters.

Enacted Number: 360-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080478 **[Height Map Amendment - Rezoning Block 5323, Lots 13, 14, 14A, 15, 15A And 15B On Third Street And Mendell Street, From A 105-A Height And Bulk Limit To A 55-X Height And Bulk Limit]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by amending Height Map HT 10 of the Zoning Map of the City and County of San Francisco to change height and bulk limit for Block 5323, lots 13, 14, 14A, 15, 15A and 15B, located at the intersection of Third Street and Mendell Street, from 105-A to 55-X; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080976 **[Street Artist Spaces]**

Resolution approving designation for six (6) months of nine (9) temporary selling spaces for weekend usage on Market Street, north side, at Steuart Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size and bus zone; said spaces subject to Board of Supervisors review. (Arts Commission)

Enacted 359-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

080282 **[Off-Site Residential Inclusionary Affordable Housing Requirements]** **Supervisors Sandoval, Daly**

Ordinance amending Section 315.5 of the Planning Code to provide that twenty-five percent of off-site units given site permits annually may be built outside of the currently-required one-mile radius from the market-rate project, and to provide that off-site units cannot be located in industrially-zoned areas or within a quarter mile of developments containing 200 or more publicly-owned and operated affordable housing developments.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Sandoval

Noes: 4 - Alioto-Pier, Ammiano, Maxwell, Peskin

SPECIAL ORDER 3:00 P.M.

080994 [Public Hearing - DPH Delinquent Refuse Service Payment Liens (Garbage Liens)]

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and Liens based thereon.

The President inquired as to whether any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

FILED.

080995 [Unpaid DPH Delinquent Refuse Service Payment Liens to become Special Assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and Liens based thereon.

Enacted Number: 345-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080996 [Public Hearing - DPH Reinspection Fee Liens]

Hearing of persons interested in or objecting to the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating Liens and Special Assessments based thereon.

The President inquired as to whether any member of the public wished to address the Board.
There were none.
Tte President declared the public hearing closed.

FILED.

080997 [Unpaid Department of Public Health complaint Reinspection Fee Liens to become Special Assessments to the property taxes]

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating Liens and Special Assessments based thereon.

Enacted Number: 346-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080998 [Public Hearing - DBI Special Assessment of Liens for Code Enforcement Cases]

Hearing of persons interested in or objecting to the report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and Fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department

of Costs thereof having accrued pursuant to Code Violations referenced above.

The President inquired as to whether any member of the public wished to address the Board.
Al Berger, property owner of 21 Wood Street
Rosemary Bacci, Representative of the Department of Building Inspection.
Heard at public hearing.
The President declared the public hearing closed.

FILED.

080999 [Special Assessment of Liens for Assessment of Cost - Department of Building Inspection]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and Fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

Enacted Number: 347-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi introduced, welcomed and presented Certificates of Honor to members of the San Francisco Police Department from the Park and Northern Stations and to Richard Johnson in recognition of their efforts to provide safer communities in San Francisco.
Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Dr. Amit Gosh in recognition of his 30 years of employment with the San Francisco Planning Department.
Supervisor Elsbernd introduced, welcomed and present Certificates of Honor to the Consul General and the

Vice Consul General of Ireland in recognition of their service to the Irish community in San Francisco.

COMMITTEE REPORTS

080691 **[Zoning - Hunters View SUD and the 40/65-X Height and Bulk District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 263.20 to establish special exceptions for heights within the Hunters View Special Use District and the 40/65-X Height and Bulk District, allowing residential buildings with conditional use authorization pursuant to Planning Code Sections 303 and 304 to have a maximum height of 65 feet; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080692 **[Zoning - Hunters View Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.39 to establish the Hunters View Special Use District, allowing the

subdivision or portions of the site as individual lots to exceed the density of the underlying zoning district and allowing uses that are either principally or conditionally permitted within NC-1 districts to be principally permitted within the special use district; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080693 [Zoning Map Amendments - Hunters View] **Supervisor Maxwell**

Ordinance amending the Zoning Maps of the City and County of San Francisco, Sheet HT10, to change the Height and Bulk Designation of Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 from 40-X to 40/65-X, Sheet ZN10, to change the Zoning Use Districts of Block 4720, Lot 27 from RH-2, NC-2 and M-1 to RM-1, and Sheet SU10, to designate Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 with the Hunters View Special Use District; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
John Bardis; expressed concern with issues relating to major issues and decisions which drive the City's economy
Walter; shared in song appreciation of government
Taxi cab driver; expressed concern with issues relating to the taxi cab industry and urged support of Item 35 urging Yellow Cab Company to not require prepayments or deposits from taxicab drivers
Richard McRee; expressed concern with issues relating to his patent for Sigmund Stern Grove design
John DiDonna; expressed concern with issues relating to the violations of human rights
Female speaker; expressed concern with issues relating to the redevelopment of the Hunters Point Area
Desiree Choy; expressed concern with issues relating to the Mayor's proposal to impose fines on the public for not sorting garbage properly
Male speaker; expressed appreciation for the new skate park
John Hung; expressed concern with issues relating to the taxi cab industry and urged support of Item 35 urging Yellow Cab Company to not require prepayments or deposits from taxicab drivers
John; expressed concern for the lack of funding for music programs in the SFUSD
David Miller; expressed concern with issues relating to the taxi cab industry and urged support of Item 35 urging Yellow Cab Company to not require prepayments or deposits from taxicab drivers

Rauch Graffis; urged support of Item 35 urging Yellow Cab Company to not require prepayments or deposits from taxicab drivers

Male speaker; expressed concern with issues relating to the taxi cab industry and urged support of Item 35 urging Yellow Cab Company to not require prepayments or deposits from taxicab drivers

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081065 **[Accept-Expend Grant Funds available through the San Francisco Foundation to fund the Youth Stewardship Program 2007-2008 - $18,000]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant in the amount of $18,000 to support the San Francisco Recreation and Parks Department Youth Stewardship Program 2007-2008.

Enacted Number: 361-08

ADOPTED

081069 **[Urging Yellow Cab Cooperative, Inc. to not require prepayments or deposits from taxicab drivers]** **Supervisors Daly, Ammiano**

Resolution urging Yellow Cab Cooperative, Inc. not to require deposits or prepayments from taxicab drivers as a condition of employment or contract and urging the Taxi Commission to adopt rules prohibiting the collection of deposits or prepayments.

Enacted Number: 362-08
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

081070 **[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008**

Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

081066 **[Urging the Recreation and Park Commission and the San Francisco Housing Authority to thoroughly review the proposed plan to build a recycling and trash compacting center in McLaren Park]** **Supervisor Sandoval**

Resolution urging the Recreation and Park

Commission and the San Francisco Housing Authority to review for consistency with the City's general plan, the proposed plan to build a recycling and trash compacting center in McLaren Park.

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

Ordinances

081082 **[Requiring Activation of Closed Captions During Video Events]** **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Sections 4401 and 4402 to require the activation of closed captioning during video events in a park, open space, zoo, or other outdoor recreation area.

8/5/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/4/2008.

081084 **[Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure]** **Supervisor Elsbernd**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the

Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.
8/5/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/4/2008.

081085 [Public Employment - Office of the Public Defender] **Supervisor McGoldrick**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).
(Fiscal Impact.)
8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081086 [Public Works Code - annual right-of-way occupancy assessment fee for driveways] **Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires or required modification to the public right-of-way; and making environmental findings.
8/5/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/4/2008.
08/12/08 - Referred to Planning for determination of environmental impact.

081087 **[Condominium conversion lottery based on seniority of participation]** **Supervisor McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

8/5/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/4/2008.

081088 **[Requirement of Conditional Use authorization for any permit application to remove dwelling units]** **Supervisor McGoldrick**

Ordinance amending the Planning Code by amending Section 317 to require Conditional Use authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

8/5/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/4/2008.

081089 **[Torch-Applied Roofing Ban]** **Supervisor Mirkarimi**

Ordinance amending Chapter 26 of the San Francisco Fire Code by adding Section 2611 to prohibit in San Francisco the installation of torch-applied roof systems on combustible roofs; adopting environmental findings and findings required by California Health & Safety Code Section 17958.7; and directing the Clerk of the Board to forward San Francisco's amendment and findings to the California Building Standards Commission and the Office of the State Fire Marshal.

8/5/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/4/2008.

081096 **[Ordinance setting San Francisco's fiscal year 2008-2009 property tax rate and establishing pass-through rate for residential tenants]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2009.

8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081097 **[Ordinance setting San Francisco Community College District's fiscal year 2008-2009 property tax rate to be** **Supervisor Peskin**

included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2009. 8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081098 **[Ordinance setting San Francisco Unified School District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2009. 8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081099 **[Ordinance setting San Francisco Bay Area Rapid Transit District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2009.

8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081100 **[Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in Neighborhood Commercial Districts]** **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 731.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/5/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/4/2008.

081102 **[MOU, Amendment No. 2 - Municipal Attorneys' Association]** **Mayor**

Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081103 **[MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081107 **[MOU - SF Police Officers' Association (SFPOA), P-2B]** **Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

081083 **[Adoption of the San Francisco Economic Strategy]** **Supervisor Alioto-Pier**

Resolution adopting the San Francisco Economic Strategy, as required by Proposition I, passed by the voters in November 2004.

8/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081090 **[Issuance and Sale of Tax-Exempt Bonds - Pacific Primary - $6,000,000]** **Supervisor Mirkarimi**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $6,000,000 to finance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof.

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081091 **[Board response to the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations"]** **Supervisor Peskin**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits

and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations".
8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081092 **[Board response to the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government"]** **Supervisor Peskin**
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government".
8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081093 **[Board response to the 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board"]** **Supervisor Peskin**
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board".
8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081094 **[Board response to the** **Supervisor**

2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco"] — **Peskin**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco".

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081095 **[Board response to the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street"]** — **Supervisor Peskin**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street".

8/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081101 **[Accept-Expend two related HIV research grants - $105,248]** — **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two related grants in the total

amount of $105,248 from the Public Health Foundation Enterprises (PHFE) to support the "HIV Vaccine Trials Network Study - Parts A and B;" for the periods of January 1, 2008 through June 30, 2008 (Part A) and July 1, 2008 through December 31, 2008 (Part B).

8/5/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081104 **[Urging the Recreation and Park Department to re-install park benches in Civic Center Plaza]** **Supervisor Maxwell**

Resolution urging the prioritization of resources to re-install park benches in Civic Center Plaza.

8/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081105 **[Opposing fiscally irresponsible State budget decisions]** **Supervisor Maxwell**

Resolution opposing fiscally irresponsible State budget decisions that would "borrow" local government, redevelopment and transportation funds.

8/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081106 **[Urging the Recreation and Park Commission to beautify,** **Supervisor Maxwell**

landscape, and improve the neglected lot on the southwest end of McLaren Park]

Resolution urging the prioritization of resources to beautify and improve the neglected and blighted southwest corner of McLaren Park, opposite the Sunnydale Public Housing Complex.

8/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED RESOLUTIONS

081052 [Street Encroachment, Various Locations]

Resolution granting revocable permission to Fisherman's Wharf Community Benefit District to occupy a portion of the public right-of-way to install and maintain a way-finding sign (a total of 10 signs) at the following locations: a) on the north side of Beach Street between Powell and Mason Streets, b) on the north side of Beach Street between Mason and Taylor Streets, c) on the north side of Beach Street between Jones and Leavenworth Streets, d) on the north side of Beach Street between Leavenworth and Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west side of Taylor Street between Jefferson and Beach Streets, g) on the west side of Taylor Street between Beach and North Point Streets, h) on the west side of Taylor Street between North Point and

Bay Streets, i) on the east side of Leavenworth Street between Jefferson and Beach Streets, and j) on the east side of Hyde Street between Beach and North Point Streets conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

7/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081067 **[Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City and**

Resolution approving an extension of up to one-year for a professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments while contract with new vendor is negotiated. (Treasurer-Tax Collector)

7/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Alioto-Pier
To: City Attorney
Requesting/Inquiring: To prepare an ordinance requiring all public places, offices, and commercial establishments to secure all appurtenances over 42" height; Drawers and doors of lockers, cabinets and other furnishings or equipment must be adequately secured against opening during an earthquake and spilling contents; All major appliances in work places must be secured to the floor and/or wall to prevent falling over during an earthquake, i.e. boilers, furnaces, water heaters, refrigerators. Anything that would obstruct safe exit from the building should be secured. This would apply to all public places, schools, offices, and commercial establishments.
From: Supervisor Ammiano
To: Director, Department of Public Works
Requesting/Inquiring: The City recently conducted an audit concerning the amount and geographical distribution of trash on our streets. It is evident that the Mission has a disproportionately high number of streets with names appearing in this audit. I appreciate very much that the Director made a point of stopping by my office to discuss the audit's findings, and I look forward to working with him on the DPW's proposed solutions to addressing litter abatement going forward. In the meantime, I would like to know what strategies to this end are currently being pondered by the administration. Additionally, my office has received upwards of 100 phone calls decrying the removal of garbage cans from areas where they are sorely needed. Does the DPW continue to believe that

less trash receptacles will lead to litter on the street?
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
295 Buchanan
409 & 1101 Oak
546 Haight
146 Webster
799 Haight
2001 Grove
583 Haight
537 Shrader
701 Shrader
1708 Waller
903 Stanyan
364 Divisadero
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repaving basketball and tennis courts at Grattan Park at Stanyan/Rivoli/Alma and Shrader Streets.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes
Southwest corner of Scott and Waller
Northwest corner of Frederick and Shrader

Southeast corner of Oak and Fillmore
Southeast corner of Linden and Buchanan
Southwest side of Divisadero and Fell (near DMV)
Northeast corner of Oak and Buchanan
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
UC Campus @ 55 Laguna on the Haight and Buchanan Street sides
Gateway High School, Geary and Scott
1223 Divisadero
816 Divisadero
631 Divisadero
401 Divisadero
968 Page
512 Page
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following public property locations:
Emergency Boxes
Northeast corner of Haight and Buchanan
Fire Hydrants
Northwest corner of Page and Steiner
Southwest corner of Fell and Divisadero
Southwest corner of Buchanan and Haight
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department

of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
Southeast corner of Waller and Buchanan
Southeast corner of Fillmore and Hermann
Southeast corner of Linden and Buchanan
Southwest corner of Page and Scott
Metal Poles
787 Divisadero
Northwest corner of Oak and Divisadero
Across the street from 2245 Post Street
Northwest corner of Steiner and Hayes
Northwest corner of Fell and Fillmore
Westside of Stanyan and Waller
Southeast corner of Linden and Buchanan
1756 Waller
Southeast corner of Lasuant and Buchanan
Southeast corner of Shrader and Haight
Bus Shelters
Southeast corner of Haight near Divisadero
Northeast corner of Fillmore and Hermann
Northwest corner of Steiner and Hayes
Southwest corner of Buchanan and Haight
Southwest corner of Divisadero and Geary
Northwest corner of Divisadero and Geary
Northwest corner of Geary and Webster
Southwest corner of Broderick and Hayes
Concrete Overpass
Southwest corner of Geary and Steiner
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department

of Public Works report on the status of removing graffiti form newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

Jeoflin Roh - Supervisors Daly and Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:29 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on September 9, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media

Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines

are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing

Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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MEETING MINUTES

Tuesday, August 12, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll
Supervisors Ammiano and Sandoval were noted absent.
There was a quorum present.
Supervisors Ammiano and Sandoval were noted present at 2:09 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes for July 8, 2008, July 15, 2008, July 16,

2008 and July 22, 2008. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080830 **[Pre-Tax Commuter Benefits for Qualifying Transit]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding a new Section 421 to require San Francisco employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize the Department of the Environment to implement an Emergency Ride Home program; and making environmental findings. (Fiscal Impact.)

Enacted 199-08
Number:
FINALLY PASSED

081016 **[Refunding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series** **Mayor**

2000-2, and Series 2000-3 (Moscone Center Expansion Project)]

Ordinance approving the issuance of lease revenue refunding bonds to refinance, in whole and/or in part, the $144,300,000 outstanding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project); approving the form of a site and facilities lease by and between the City and County of San Francisco (the "City") and the City and County of San Francisco Finance Corporation (the "Corporation"); approving the form of a project lease between the Corporation and the City; approving the form of a reimbursement agreement among the City, the Corporation and each credit provider; approving the form of an Official Statement; approving the form of a purchase contract between the Corporation and each underwriter, including the form of a certificate of the City; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

Enacted Number: 203-08

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

080478 **[Height Map Amendment - Rezoning Block 5323, Lots 13, 14, 14A, 15, 15A And 15B On Third Street And Mendell Street, From A 105-A Height And Bulk Limit To A 55-X Height And Bulk Limit]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by amending Height Map HT 10 of the Zoning Map of the City and County of San Francisco to change height and bulk limit for Block 5323, lots 13, 14, 14A, 15, 15A and 15B, located at the intersection of Third Street and Mendell Street, from 105-A to 55-X; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted Number: 204-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

080441 **[Regulating Overtime for City Employees]** **Mayor, Supervisor McGoldrick**

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours worked in any fiscal year and to limit overtime to no more than 40 in a regular work week except for work performed for emergency or critical services needs, if such emergency or critical service need is approved by appropriate officials.

Enacted Number: 197-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

080592 **[Appropriating $272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]** **Supervisors Maxwell, Peskin**

Ordinance appropriating $272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Supervisor Alioto-Pier dissented in committee.)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080523 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and

Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1. (Supervisor Alioto-Pier dissented in Committee.)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080577 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro

East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080524 **[Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust** — **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and

Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in Committee.)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080691 **[Zoning - Hunters View SUD and the 40/65-X Height and Bulk District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 263.20 to establish special exceptions for heights within the Hunters View Special Use District and the 40/65-X Height and Bulk District, allowing residential buildings with conditional use authorization pursuant to Planning Code Sections 303 and 304 to have a maximum height of 65 feet; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted 200-08
Number:

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080692 **[Zoning - Hunters View Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.39 to establish the Hunters View Special Use District, allowing the subdivision or portions of the site as individual lots to exceed the density of the underlying zoning

district and allowing uses that are either principally or conditionally permitted within NC-1 districts to be principally permitted within the special use district; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted 201-08
Number:

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080693 **[Zoning Map Amendments - Hunters View]** **Supervisor Maxwell**

Ordinance amending the Zoning Maps of the City and County of San Francisco, Sheet HT10, to change the Height and Bulk Designation of Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 from 40-X to 40/65-X, Sheet ZN10, to change the Zoning Use Districts of Block 4720, Lot 27 from RH-2, NC-2 and M-1 to RM-1, and Sheet SU10, to designate Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 with the Hunters View Special Use District; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted 202-08
Number:

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

From the Land Use and Economic Development Committee Without Recommendation

080282 **[Off-Site Residential Inclusionary Affordable Housing Requirements]** **Supervisors Sandoval, Daly**

Ordinance amending Section 315.5 of the Planning Code to provide that twenty-five percent of off-site units given site permits annually may be built outside of the currently-required one-mile radius from the market-rate project, and to provide that off-site units cannot be located in industrially-zoned areas or within a quarter mile of developments containing 200 or more publicly-owned and operated affordable housing developments.

Enacted Number: 198-08

FINALLY PASSED by the following vote:
Ayes: 8 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Ammiano, Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080656 **[Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and After School Snack Program - 2008 -** **Supervisor Maxwell**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of $950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor the 2008 Mayor's Summer Food Program and the After School Snack Program.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080957 **[WSIP Agreement No. CS-913, Bay Tunnel Project Construction**

Management Services]

Resolution authorizing the General Manager of the Public Utilities Commission to execute a professional services agreement with Jacobs Engineering for an amount not to exceed $18,000,000 to provide construction management services for the Bay Tunnel Project. (Public Utilities Commission) (Fiscal Impact.)

Enacted Number: 368-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081023 [Board Review and Approval of 2008 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]

Resolution approving the City and County of San Francisco 2008 grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department) (Fiscal Impact.)

Enacted Number: 373-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081017 **[Supporting full funding of Proposition 42 in the FY 2008-09 California State Budget]** **Mayor**

Resolution urging the California State Legislature to fully fund Proposition 42 as proposed by the Governor in the Fiscal Year 2008-09 California State Budget and supported by the Budget Conference Committee.

Enacted Number: 370-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081003 **[Approval of Agreement between the City and County of San Francisco and Cubic Transportation Systems, Inc. for Farebox System Rehabilitation and Upgrades, for a contract term of twenty-six** **Supervisor Dufty**

Resolution approving the Agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and

Cubic Transportation Systems, Inc. for Fare System Rehabilitation and Upgrades Project.
(Fiscal Impact.)

Enacted Number: 366-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081035 **[Agreement with Cypress Security LLC. for Armed and Unarmed Security Guard Services]** **Supervisor Dufty**

Resolution authorizing a three year agreement, with option to renew for up to an additional three years, with Cypress Security LLC. for an amount not to exceed $15.8 million.
(Fiscal Impact.)

Enacted Number: 372-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081037 **[Multifamily Housing Revenue Bonds - Zygmunt Arendt House]** **Supervisor Mirkarimi**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to

exceed $10,500,000 for the purpose of providing financing for a multifamily rental housing project to be known as Zygmunt Arendt House; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the Bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the Bonds and the project; and granting general authority to City officials to take actions necessary to implement this Resolution.

Enacted Number: 374-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081059 **[Acceptance of State Grant Funds, Department of Public Works - $450,000]** **Supervisor McGoldrick**

Resolution authorizing the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling $450,000 for FY 2008-09 for various pedestrian projects in the City and County of San Francisco.

Enacted Number: 375-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081067 **[Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City and**

Resolution approving an extension of up to one-year for a professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments while contract with new vendor is negotiated. (Treasurer-Tax Collector)

Enacted Number: 376-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

080731 **[Revocation of Permit for U.N. Plaza Collectible/Antiques Market]** **Mayor**

Resolution revoking the permit for a collectible/antiques market at U.N. Plaza.

Enacted Number: 363-08

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Ammiano, Daly, Dufty, Maxwell

Recommendations of the Land Use and Economic Development Committee

080856 [Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]

Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance. (Public Works Department)

PASSED ON FIRST READING by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080857 **[Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]**

Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 2:56 p.m.
Reconvening of the Board
The Board, at the hour of 3:33 p.m. reconvened.
Calling the Roll
On call of the roll, the following Supervisors were noted present:Supervisors Alioto-Pier, Ammiano,Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11
Quorum present.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin welcomed, introduced, and presented Certificates of Honor to dignitaries visiting from Azerbaijah.
Supervisor Peskin welcomed, introduced, and presented Certificates of Honor to members of the

Ballot Simplification Committee.
Supervisor Peskin welcomed friends of Nate Ratner in the dedication of a bench to be named in honor of Nate Ratner. Judge Quentin L. Kopp, Steve Cornell and Caroline Marks spoke in appreciation of this honor for Nate Ratner. Supervisor Peskin presented a Certificate of Honor to the friends of Nate Ratner.

SPECIAL ORDER 3:30 P.M

Supervisor Ammiano was noted absent at 4:05 p.m.
Supervisor Sandoval was noted absent at 4:20 p.m.
Supervisor Sandoval was noted present at 4:33 p.m.

080888 [Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)

(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.
Tim Tosta, Attorney for the appellant

Bruce Storrs, Department of Public Works Representative, AnMarie Rodgers, Planning Department Representative and Jim Morales, Attorney for the Redevelopment Agency, reviewed with the Board their recommendations.
Rebuttal Period: Tim Tosta, Attorney for the appellant
The President declared the public hearing closed.
FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Final Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080889 **[Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]**

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 325-unit condominium subdivision located

at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Enacted Number: M08-129

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 2 - Ammiano, Sandoval

080890 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 2 - Ammiano, Sandoval

080891 [Findings - 1420 Turk Street

and 1535 Eddy Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019. (Clerk of the Board)

Enacted M08-130
Number:

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

SPECIAL ORDER 3:30 P.M.

080892 [Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)

(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)

The President inquired as to whether any member of the public wished to address the Board members. Appellant
Bruce Storrs, Department of Public Works Representative and AnMarie Rodgers, Planning Department Representative, reviewed with the Board members their recommendations.
The President declared the public hearing closed.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Final Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

080893 [Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1345 Fillmore Street]

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots

018 and 20 through 67. (Clerk of the Board)

Enacted Number: M08-131

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 2 - Ammiano, Sandoval

080894 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1345 Fillmore Street]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 2 - Ammiano, Sandoval

080895 [Findings - 1345 Fillmore Street Tentative Final Map]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67. (Clerk of the Board)

Enacted M08-132
Number:

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED.

The motion carried by the following vote:

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

SPECIAL ORDER 3:30 P.M.

081042 [Public Hearing - Appeal of Tentative Parcel Map for 628-632 Steiner Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated July 14, 2008, disapproving a Tentative Parcel Map for a 3-unit condominium conversion project located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024. (Appellant: Alain Calefas)
(Filed July 22, 2008; companion measure to Files 081043, 081044, 081045; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.

Appellant
Bruce Storrs, Department of Public Works Representative and AnMarie Rodgers, Planning Department Representative, reviewed with the Board members their recommendations.
The President declared the public hearing closed.
FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081043 **[Approving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for 628-632 Steiner Street]**

Motion approving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

081044 [Disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for 628-632 Steiner Street]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

081045 [Findings - 628-632 Steiner Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Enacted M08-134
Number:

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 4:00 P.M.

080927 [Public Hearing - Appeal of Mitigated Negative Declaration - 300 Grant Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 12, 2008, approving a Mitigated Negative Declaration (File Number 2004.1245E) for the proposed development at 300 Grant Avenue. The proposal would demolish two commercial

buildings, construct a new, 111,000 gross square-feet, 10-story, mixed-use building containing approximately 45 dwelling units, below-grade parking and ground floor and second floor retail on two lots (Lots 13 and 14, Assessors Block 0287) in the C-3-R (Downtown Retail) district within the Kearny-Market-Mason-Sutter Conservation District. (Appellant: Sue C. Hestor on behalf of Alan and Paola Habegger, David Anders and Kenneth and Anna Zankel, residents of The Landmark at 333 Grant Avenue)
(Filed 7/2/08; companion measure to 080928, 080929, 080930; District 3.)

The President inquired as to whether any member of the public wished to address the Board members.
Sue Hestor, Attorney for the appellant
Nannie Turrell and Adam Light, Planning Department Representatives, reviewed with the Board members their recommendation.
Al Habegger; Appellant
Female speaker; support of the appellant
Shelba Campbell, Project sponsor manager
Vincent Marsh; support of the project sponsor
Kenneth Coleman; support of the project sponsor
Rebuttal Period: Sue Hestor, Attorney for the appellant
President declared the public hearing closed.

FILED.

Pursuant to Government Code Section 65009, the

following notice is hereby given: if you challenge, in court, the mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

080928 [Affirm adoption of the mitigated negative declaration for the 300 Grant Avenue project]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project. (Clerk of the Board)

Enacted Number: M08-135

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Alioto-Pier

Absent: 2 - Ammiano, Maxwell

080929 [Reversing adoption of the mitigated negative declaration

for the 300 Grant Avenue project]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Absent: 2 - Ammiano, Maxwell

080930 [Preparation of findings to reverse adoption of the mitigated negative declaration for the 300 Grant Avenue project]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Absent: 2 - Ammiano, Maxwell

COMMITTEE REPORTS

080936 [Reappointment, Planning Commission - Michael Antonini]

Motion approving the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080937. Transmittal date - July 8, 2008.)

Enacted Number: M08-136

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

080937 [Reappointment, Planning Commission - Michael Antonini]

Motion rejecting the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of

Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080936. Transmittal date - July 8, 2008.)

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080938 [Reappointment, Planning Commission - Ron Miguel]

Motion approving the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080939. Transmittal date - July 8, 2008.)

Enacted M08-137

Number:

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080886 **[Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]** **Mayor**

Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080019 **[Implementing the Controller's Whistleblower Program]** **Supervisors Mirkarimi, Dufty**

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's

Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080272 **[Requiring registered lobbyists to wear identification badges when making lobbying contacts]** **Supervisor Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by adding section 2.113 to require registered lobbyists to wear identification badges distributed by the Ethics Commission when making lobbying contacts. (8/7/08, Supervisor Dufty dissenting in committee).

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Ammiano, Daly, Mirkarimi, Peskin
Noes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Sandoval

080564 **[Establishing a Reentry Council]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080985 **[Appointment, Public Utilities Commission - Francesca Vietor]**

Motion confirming the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012. (Mayor)

Enacted Number: M08-138

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081053 **[Accept-expend gift - $100,000]** **Supervisor Chu**

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of $100,000 from American Express to plant approximately 1,000 trees on Sunset Boulevard

allowing the use of the City's corporate seal under certain conditions, and allowing the Director of Public Works to sign an agreement that includes provisions for alternative dispute resolution. (Supervisor McGoldrick dissented in Committee.)

Supervisor Chu, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081026 [Approval of the 12-month cost extension application for HIV prevention projects for 2008 - $8,800,000]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit a 12-month cost extension application in order to continue to receive funding for the HIV prevention projects grant from the Centers for Disease Control and Prevention (CDC); in the amount of approximately $8,800,000 in HIV prevention funding for San Francisco, extending the project period from

December 31, 2008 to December 31, 2009. (Public Health Department)

Enacted 377-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081054 **[Grant to support the Peer Provider Project - $225,000]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively funds from the California Wellness Foundation in the amount of $225,000 to support the Peer Provider Project, including a contract with Huckleberry Youth Programs in the total amount of $59,400; for the period of July 1, 2008 through June 30, 2011.

Enacted 378-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081063 **[Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - $2,294,774]** **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the

amount of $2,294,774 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA) - for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2008 to June 30, 2009.

Enacted 379-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

081064 **[Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - $100,583]** **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Enacted 380-08
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Daniel; expressed concern with issues relating to the Police Commission and the Office Citizen Complaints and the SF Police Department

Peter Warfield; expressed concern with issues relating to the SF Public Library and the Library fees
SF State student; support of new power source
Lisa Gomes; expressed concern with issues relating to the Tenderloin area and the violence which occurs and the need to redevelop this area
Brent Turner; expressed support of the mock elections currently conducted in San Francisco

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

081104 **[Urging the Recreation and Park Department to re-install park benches in Civic Center Plaza]** **Supervisor Maxwell**

Resolution urging the prioritization of resources to re-install park benches in Civic Center Plaza.

Enacted Number: 365-08
ADOPTED

081105 **[Opposing fiscally irresponsible State budget decisions]** **Supervisor Maxwell**

Resolution opposing fiscally irresponsible State budget decisions that would "borrow" local government, redevelopment and transportation funds.

Enacted Number: 367-08
ADOPTED

081106 [Urging the Recreation and Park Commission to beautify, landscape, and improve the neglected lot on the southwest end of McLaren Park] **Supervisor Maxwell**

Resolution urging the prioritization of resources to beautify and improve the neglected and blighted southwest corner of McLaren Park, opposite the Sunnydale Public Housing Complex.

Enacted Number: 364-08
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

081113 [Celebrating twelve-and-a-half years of Trannyshack at Stud Bar] **Supervisor Dufty**

Resolution celebrating twelve-and-a-half years of Trannyshack at Stud Bar.

Enacted Number: 369-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved ADOPTION of the purely Commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Ordinances

081117 **[Zoning - Interim Moratorium on Conversion of Residential Rental Units to Student Housing]** **Supervisor Daly**

Urgency Ordinance imposing an interim zoning moratorium on the conversion of residential rental units to student housing for 45 days and making required findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1.
8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081118 **[Anti-Blight Ordinance]** **Supervisor Sandoval**

Draft ordinance amending the San Francisco Administrative Code by adding Chapter 81, Sections 81.1 through 81.10, to establish a uniform procedure for enforcement of blight-related

provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

8/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008.

081119 [Noise Control Ordinance] **Supervisor Ammiano**

Ordinance amending the San Francisco Police Code by amending Sections 2901, 2902, 2904, 2907, 2908, 2909, 2910, 2916, and 2917, repealing Sections 2903, 2906, 2911, 2912, 2913, 2914, 2915, and 2918, and adding new Sections 2912, 2918, 2920, 2922, 2924, and 2926, to revise the City's noise control regulations, add administrative penalties, and create a noise task force.

8/12/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/11/2008.

081120 [Ordering vacation of the Ingleside Path] **Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and

Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081121 **[Accept-expend state grant and amend Annual Salary Ordinance, FY 2008-09 - $400,000]** **Supervisors Elsbernd, Dufty**

Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

8/12/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081124 **[Prohibiting advertisements for alcoholic beverages on City property]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 4.20, to prohibit advertisements for alcoholic beverages on City property.
8/12/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/11/2008.

081125 **[Promoting and Sustaining Music and Culture in San Francisco]** **Supervisor Mirkarimi**

Ordinance adding Chapter 90A to the San Francisco Administrative Code to establish a music and culture sustainability policy for City government; provide for development by the Entertainment Commission of a proposal for an on-line permitting system for entertainment-related permits, licenses, and determinations; provide for review by the Entertainment Commission of new criteria for entertainment related permits, licenses, and determinations; establish a process coordinated by the Entertainment Commission for reviewing and possibly revising City Codes to conform to and implement the music and culture sustainability policy; urge the Planning Commission to consider amending the General Plan to conform to and implement that policy; and provide for an annual hearing by the Entertainment Commission to review and make recommendations relating to implementation of that policy.
8/12/08, ASSIGNED UNDER 30 DAY RULE to Land

Use and Economic Development Committee, expires on 9/11/2008.

081086 **[Public Works Code - annual right-of-way occupancy assessment fee for driveways]** **Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires modification to the public right-of-way; and making environmental findings

8/5/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/4/2008.

08/12/08 - Referred to Planning for determination of environmental impact. 08/18/08 - Response received from Planning, exempt from CEQA.

8/12/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

8/12/08, ASSIGNED to Budget and Finance Committee.

080438 **[Prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums]** **Supervisor Daly**

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to

prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

4/1/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/1/2008.

4/9/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation.

6/19/08, RESPONSE RECEIVED. The Small Business Commission transmitted a list of its recommended amendments to the proposed ordinance.

8/12/08, CALLED FROM COMMITTEE.

080696 **[Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less that 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general

and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, And Business Or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

5/30/08, REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

6/17/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

6/17/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

6/27/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to Planning Department for environmental review and Planning Commission for review and comment.

8/6/08, RESPONSE RECEIVED. Planning Department - Not a project pursuant to Section 15060(c)(3) of the CEQA Guidelines.

8/12/08, SUBSTITUTED. Supervisor Peskin submitted substitute ordinance bearing new title.

8/12/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

081122 [Vacation of the Ingleside Path] **Supervisor Elsbernd**

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081127 **[PG&E rate increases]** **Supervisors Peskin, Dufty**

Resolution establishing the City's support for affordable rates for PG&E customers and directing the City Attorney and the Public Utilities Commission to participate in PG&E rate proceedings to advocate for reasonable rates.

8/12/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081128 **[FY 2008-2009 California Constitution Appropriations Limit]** **Supervisor Peskin**

Resolution establishing the appropriations limit for Fiscal Year 2008-09 pursuant to California Constitution Article XIII B.

8/12/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081129 **[90 day extension for Planning Commission review - Mission/Bernal Formula Retail Restricted Use Subdistrict]** **Supervisor Ammiano**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use

Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
8/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081130 [Accept-Expend Federal/State Pass Through Grant - $11,828] Supervisors Chu, Dufty
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $11,828 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
8/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081131 [Commending Breakthrough Collaborative] Supervisor Daly
Resolution commending Breakthrough Collaborative for their work to increase educational opportunities for high-potential, disadvantaged middle school students and inspired gifted college and high school

students to pursue careers in education.
8/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

081132 **[Accept-Expend State grants for food and agricultural projects - $6,808.90]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling $6,808.90, two from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2008 through June 30, 2009.
8/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

081114 **[Hearing - Homicides in the Excelsior]** **Supervisor Sandoval**

Hearing to discuss the Police Department's response to the recent homicides in the Excelsior and address additional Police Department resources being deployed.
8/12/08, RECEIVED AND ASSIGNED to Public Safety Committee. Sponsor requests hearing to be scheduled within 30 days from August, 12, 2008.

081115 **[Hearing - Communities of Opportunity (COO) Program]** **Supervisor Maxwell**

Hearing on the Communities of Opportunity (COO) program. The hearing would inform and educate the Board regarding the successes and challenges of the work and overall strategy.

8/12/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests hearing to be scheduled in City Operations & Neighborhood Services Committee for its first session in September.

081116 **[Hearing - Presidio Neighborhood Representative Work Group Report]** **Supervisor Alioto-Pier**

Hearing on the Presidio Neighborhood Work Group. Per Resolution 258-08, the Presidio Neighborhood Work Group was established to develop comments on the Presidio Trust Management Plan and Supplemental Environmental Impact Report and to develop a report on the planning actions by the Presidio Trust.

8/12/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

081074 **[Changing the official sidewalk width - Harrison Street]**

Ordinance amending Ordinance No. 1061 entitled

"Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department) 7/31/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081078 [Personal Wireless Service Facilities Site Permits]

Ordinance amending the San Francisco Administrative Code by amending section 11.9 to: (1) establish new standards for review by the Planning Department and the Recreation and Park Department of applications for personal wireless service facilities site permits; (2) establish the right to protest the grant or denial of applications for personal wireless service facilities site permits; (3) authorize the Department of Public Works to establish certain requirements for all applications for personal wireless service facilities site permits; (4) change certain fees applicable to personal wireless service facilities site permits; (5) extend the term of personal wireless service facilities site permits; and (6) make specified technical changes to the application process and requirements for personal wireless service facilities site permits. (Public Works Department)

8/4/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008. 9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.

PROPOSED RESOLUTIONS

081071 [Approval of CPMC Lease Termination Agreement at One South Van Ness Avenue]

Resolution approving a Lease Termination Agreement between the City, as landlord, and CPMC, as tenant, for approximately 127,638 square feet of office space on the 4th and 8th floors of One South Van Ness Avenue, and the subsequent occupancy of the 4th floor space by the Department of Human Resources and the 8th floor space by the Municipal Transportation Agency. (Real Estate Department)

(Fiscal Impact.)

7/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081072 [Authorizing the Sheriff to execute contracts with the State and accept and expend funds associated with a Secure Reentry Program Facility]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of

Requests Granted

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft a Charter Amendment to prohibit the use of MUNI's funds for staff positions in the Mayor's Office.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
299 Webster
1801 Fulton
237 Scott
1052 Oak
501 Fell
480 Fell
214 Pierce
510 Steiner
1351 Fulton
485 Scott
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes
Southwest corner of Fell near Divisadero
Southeast corner of Broderick and McAllister

Northeast corner of Oak and Broderick
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
1680 Fulton
Fire Box
Southeast corner of Fulton and Scott
Metal Poles
Northwest corner of Divisadero and Golden Gate
Northwest corner of Golden Gate and McAllister
Concrete Poles
Southwest corner of Pierce and Oak
Southeast corner of Pierce and Oak
Garbage Cans
Northwest corner of Polk and Webster
North side of Clayton and Fulton
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti form newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of

In Memoriams

Corrections and Rehabilitation (CDCR) and accept and expend funds associated with the contracts. The purpose of the contract is to establish a pilot San Francisco County Secure Reentry Program Facility (SRPF) that will provide up to 12 months of intensive, in-custody evidence based reentry programming which will address the offender's underlying employment, mental health and substance abuse issues. This will be followed by 12 months of accountability based out-of-custody reentry programming. (Sheriff)
7/30/08, RECEIVED AND ASSIGNED to Public Safety Committee.

081073 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2008 to September 30, 2009. (Treasure Island Development Authority)
(Fiscal Impact.)
7/31/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081075 [Airport Concession Lease]

Resolution approving the Boarding Area "F" Pharmacy, Health and Beauty Store Lease between Harmony Pharmacy and Health Center, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
8/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081077 [Approval of Mental Health Services Act (MHSA) FY08-09 Annual Community Services and Supports Plan Update]
Resolution authorizing adoption of the Mental Health Services Act Fiscal Year 2008-2009 Annual Community Services and Supports (CSS) Plan Update and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement. (Public Health Department)
8/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081079 [Amendment to leases of Real Property at 3120 Mission and 3425 Cesar Chavez Streets]
Resolution authorizing the Amendment to leases at 3120 Mission and 3425 Cesar Chavez Streets for the Department of Human Services. (Real Estate Department)
(Fiscal Impact.)
8/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Martin "Marty" Bonney - Entire Board
Harriet Elaine Brooks - Supervisor Mirkarimi
William Bass - Supervisors Mirkarimi and Maxwell
Maryann LaMere - Supervisor McGoldrick
Ellen L. Wolfe - Supervisor Alioto-Pier
Martha Haywood - Supervisor Elsbernd
Kathleen M. Eimil - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:27 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on September 23, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience

to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be

sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics

Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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